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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 11 सितम्बर, 2006

का.आ. 3755.—केंद्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केरल राज्य सरकार के गृह (जे) विभाग की अधिसूचना सं. 15662/जे-2/2005/गृह, तिरुवनंतपुरम दिनांक 4 अक्टूबर, 2005 द्वारा प्राप्त सहमति से पाय्यली पुलिस स्टेशन, कोजीकोड जिला में (1) अपराध सं. 1/2005 और (2) अपराध संख्या 158/2005 में सम्मिलित अपराधों और उपर्युक्त अपराधों में से एक अथवा अधिक से संबंधित अथवा संसक्त प्रयत्नों, दुष्करियों और षडयंत्र तथा उसी संव्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत किसी अन्य अपराध अथवा अपराधों का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण केरल राज्य पर करती है।

[सं. 228/60/2005-एवीडी-II]

चंद्र प्रकाश, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 11th September, 2006

S.O. 3755.—In exercise of the powers conferred by Sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of State Government of Kerala Home (J) Department vide Notification No. 15662/J-2/2005 Home, Thiruvananthapuram dated 4th October, 2005, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Kerala for investigation of offences involved in (1) Crime No. 1/2005 and (2) Crime No. 158/2005 of Payyali Police Station in Kozhikode District and attempts, abetments and conspiracies in relation to or in connection with one or more of the offences mentioned above and any other offence or offences committed in the course of the same transaction arising out of the same facts.

[No. 228/60/2005-AVD-II]

CHANDRA PRAKASH, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

(केन्द्रीय प्रत्यक्ष कर बोर्ड)

नई दिल्ली, 3 अगस्त, 2006

(आयकर)

का.आ. 3756.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23 ग) के उपखंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा यह अधिसूचित करती है कि “माता अमृतनन्दमयी मठ, अमृतपुरी, कोल्लम जिला, केरल” (इसके बाद “संस्था” कहा गया है) की ओर से किसी व्यक्ति द्वारा प्राप्त की गई कोई आय निम्नलिखित शर्तों के अधीन कर निर्धारण वर्ष 2003-2004 से 2005-2006 तक के लिए ऐसे व्यक्ति की सकल आय में कराधेय आय के रूप में शामिल नहीं की जाएगी :

- (i) संस्था अपनी आय का इस्तेमाल अथवा इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अन्नयतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है तथा उस मामले में जहाँ की पंद्रह प्रतिशत से अधिक आय 1 अप्रैल, 2002 के पहले दिन को या उसके पश्चात् एकत्र की गई है, इसकी आय के संचयन की राशि के पंद्रह प्रतिशत से अधिक होने की अवधि किसी भी स्थिति में पाँच वर्ष से अधिक नहीं होनी चाहिए;
- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगी अथवा उसे जमा नहीं करेगी;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार संस्था के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तिकाएँ नहीं रखी जाती हों;
- (iv) संस्था आयकर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष दाखिल करेगी;
- (v) विघटन की स्थिति में संस्था की अतिरिक्त राशियाँ और परिसम्पत्तियाँ समान उद्देश्यों वाले किसी संगठन को दे दी जाएंगी।

यह अधिसूचना संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ताओं की किसी अन्य प्राप्ति अथवा आय पर। संस्था के आय की कराधेयता अथवा अन्यथा पर, आयकर

अधिनियम, 1961 के उपबंधों के अनुसार पृथक रूप से विचार किया जाएगा।

[अधिसूचना सं. 205/2006/फा.सं. 197/68/2006-आ.क.नि.-I]

दीपक गर्ग, अवर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

(CENTRAL BOARD OF DIRECT TAXES)

New Delhi, the 3rd August, 2006

(INCOME-TAX)

S.O. 3756.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf of “Mata Amritanandamayi Math, Amritapuri, Kollam District, Kerala” (hereinafter referred to as the ‘Institution’) shall not be included in the total income of such person as assessable for the assessment years 2003-2004 to 2005-2006, subject to the following conditions namely :—

- (i) the Institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2002, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years;
- (ii) the Institution will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintained in respect of such business;
- (iv) the Institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;
- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt of income of such recipients. Taxability, or, otherwise, of the income of the Institution would be separately considered as per the provisions of the Income-tax Act, 1961.

[Notification No. 205/2006/F. No. 197/68/2006-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 3 अगस्त, 2006

(आयकर)

का.आ. 3757.-आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23 ग) के उपखंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा यह अधिसूचित करती है कि “श्री पद्मनाभास्वामी टेम्पल ट्रस्ट, फोर्ट पैलेस आफिस फोर्ट, तिरुवनन्तपुरम-695023” (इसके बाद “संस्था” कहा गया है) की ओर से किसी व्यक्ति द्वारा प्राप्त की गई कोई आय निम्नलिखित शर्तों के अध्वधीन कर निर्धारण वर्ष 1999-2000 से 2001-2002 तक के लिए ऐसे व्यक्ति की सकल आय में कराधेय आय के रूप में शामिल नहीं की जाएगी :

- (i) संस्था अपनी आय का इस्तेमाल अथवा इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अन्नयतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है तथा उस मामले में जहाँ की पंद्रह प्रतिशत से अधिक आय 1 अप्रैल, 2002 के पहले दिन को या उसके पश्चात एकत्र की गई है, इसकी आय के चयन की राशि के पंद्रह प्रतिशत से अधिक होने की अवधि किसी भी स्थिति में पाँच वर्ष से अधिक नहीं होनी चाहिए;
- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगी अथवा उसे जमा नहीं करेगी;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार संस्था के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तिकाएँ नहीं रखी जाती हों;
- (iv) संस्था आय कर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष दाखिल करेगी;
- (v) विघटन की स्थिति में संस्था की अतिरिक्त राशियाँ और परिसम्पतियाँ समान उद्देश्यों वाले किसी संगठन को दे दी जाएगी।

यह अधिसूचना संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ताओं की किसी अन्य प्राप्ति अथवा आय पर। संस्था के आय की कराधेयता अथवा अन्यथा पर, आयकर अधिनियम, 1961 के उपबंधों के अनुसार पृथक रूप से विचार किया जाएगा।

[अधिसूचना सं 206/2006/फा.सं. 197/59/2006-आ.क.नि.-I]

दीपक गर्ग, अवर सचिव

New Delhi, the 3rd August, 2006

(INCOME-TAX)

S.O. 3757.—In exercise of the powers conferred by Sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf of “Sree Padmanabhaswami Temple Trust, Fort Palace Office, Fort, Thiruvananthapuram-695023” (hereinafter referred to as the ‘Institution’) shall not be included in the total income of such person as assessable for the assessment years 1999-2000 to 2001-2002, subject to the following conditions namely :—

- (i) the Institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2002, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years;
- (ii) the Institution will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above other wise than in any one or more of the forms or modes specified in Sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintained in respect of such business;
- (iv) the Institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;
- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt or income of such recipients. Taxability, or, otherwise, of the income of the Institution would be separately considered as per the provisions of the Income-tax Act, 1961.

[Notification No. 206/2006/F. No. 197/59/2006-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 28 जुलाई, 2006

(आयकर)

का.आ. 3758.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23 ग) के उपखंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा “दि मलंकारा ऑर्थोडॉक्स सीरियन चर्च, कैथेलिकेट अरमाना, देवलोकम, कोट्टायम, केरल” को कर निर्धारण वर्ष 2005-2006 से 2007-2008 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :-

- (i) संस्था अपनी आय का इस्तेमाल अथवा अपनी आय का इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अन्वयतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है;
- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगी अथवा उसे जमा नहीं करेगी;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार उक्त कर निर्धारित के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों;
- (iv) संस्था आय कर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष फाइल करेगी;
- (v) विघटन की स्थिति में संस्था की अतिरिक्त राशियाँ और परिसम्पत्तियाँ समान उद्देश्यों वाले किसी संगठन को दे दी जाएंगी।

यह अधिसूचना संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ता द्वारा की किसी अन्य प्राप्ति अथवा आय पर। संस्था के आय की कराधेयता अथवा अन्यथा आय पर, आयकर अधिनियम, 1961 के उपबंधों के अनुसार पृथक् रूप से विचार किया जाएगा।

[अधिसूचना सं 202/2006/फा. सं. 197/58/2006-आ.क.नि.-I]

दीपक गर्ग, अवर सचिव

New Delhi, the 28th July, 2006

(INCOME-TAX)

S.O. 3758.—In exercise of the powers conferred by Sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf of “The Malankara Orthodox Syrian Church, Catholicate Aramana, Devalokam, Kottayam, Kerala” (“hereinafter the Institution”) shall not be included in the total income of such person as assessable for the Assessment Years 2005-2006 to 2007-2008, subject to the following conditions namely :—

- (i) the Institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2002, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years;
- (ii) the Institution will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above other wise than in any one or more of the forms or modes specified in Sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintained in respect of such business;
- (iv) the Institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;
- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt of income of such recipients. Taxability, or, otherwise, of the income of the Institution would be separately considered as per the provisions of the Income-tax Act, 1961.

[Notification No. 202/2006/F. No. 197/58/2006-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 12 सितम्बर, 2006

New Delhi, the 12th September, 2006

(आयकर)

(INCOME-TAX)

का.आ. 3759.-आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23 ग) के उप-खंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा यह अधिसूचित करती है कि "सेन्टर फॉर साइंस एण्ड एनवायरमेंट नई दिल्ली" (इसके बाद "संस्था" कहा गया है) की ओर से किसी व्यक्ति द्वारा प्राप्त की गई कोई आय निम्नलिखित शर्तों के अधीन कर निर्धारण वर्ष 2003-2004 से 2005-2006 तक के लिए ऐसे व्यक्ति की सकल आय में कराधेय आय के रूप में शामिल नहीं की जाएगी :

- (i) संस्था अपनी आय का इस्तेमाल अथवा इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अन्वयतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है तथा उस मामले में जहाँ इस की पंद्रह प्रतिशत से अधिक आय 1 अप्रैल, 2002 के पहले दिन को या उसके पश्चात् एकत्र की गई है, इसकी आय के संचयन की राशि के पंद्रह प्रतिशत से अधिक होने की अवधि किसी भी स्थिति में पाँच वर्ष से अधिक नहीं होनी चाहिए;
- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उप-धारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (ज्वेलर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगी अथवा उसे जमा नहीं करेगी;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार संस्था के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तिकाएँ नहीं रखी जाती हों;
- (iv) संस्था आय कर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष दाखिल करेगी;
- (v) विघटन की स्थिति में संस्था की अतिरिक्त राशियाँ और परिसम्पतियाँ समान उद्देश्यों वाले किसी संगठन को दे दी जाएंगी।

यह अधिसूचना संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ताओं की किसी अन्य प्राप्ति अथवा आय पर। संस्था के आय की कराधेयता अथवा अन्यथा पर, आयकर अधिनियम, 1961 के उपबंधों के अनुसार पृथक् रूप से विचार किया जाएगा।

[अधिसूचना सं. 246/2006/फा. सं. 197/11/2006-आ.क. नि.-I]

दीपक गर्ग, अवर सचिव

S.O. 3759.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf of "Centre for Science and Environment, New Delhi" (hereinafter referred to as the 'Institution') shall not be included in the total income of such person as assessable for the assessment years 2003-2004 to 2005-2006, subject to the following conditions namely :—

- (i) the Institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2002, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years;
- (ii) the Institution will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintained in respect of such business;
- (iv) the Institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;
- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt of income of such recipients. Taxability, or, otherwise, of the income of the Institution would be separately considered as per the provisions of the Income-tax Act, 1961.

[Notification No. 246/2006/F. No. 197/11/2006-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 12 सितम्बर, 2006

(आयकर)

का.आ. 3760.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23 ग) के उप-खंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा यह अधिसूचित करती है कि “ज्योतिर्मठ बद्रीकाश्रम हिमालया, कोलकाता” (इसके बाद “संस्था” कहा गया है) की ओर से किसी व्यक्ति द्वारा प्राप्त की गई कोई आय निम्नलिखित शर्तों के अध्वधीन कर निर्धारण वर्ष 2005-2006 से 2007-2008 तक के लिए ऐसे व्यक्ति को सकल आय में कराधेय आय के रूप में शामिल नहीं की जाएगी :

- (i) संस्था अपनी आय का इस्तेमाल अथवा इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अन्नयतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है तथा उस मामले में जहाँ इस की पंद्रह प्रतिशत से अधिक आय 1 अप्रैल, 2002 के पहले दिन को या उसके पश्चात् एकत्र की गई है, इसकी आय के संचयन की राशि के पंद्रह प्रतिशत से अधिक होने की अवधि किसी भी स्थिति में पाँच वर्ष से अधिक नहीं होनी चाहिए;
- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उप-धारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगी अथवा उसे जमा नहीं करेगी;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार संस्था के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तिकाएँ नहीं रखी जाती हों;
- (iv) संस्था आय कर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष दाखिल करेगी;
- (v) विघटन की स्थिति में संस्था की अतिरिक्त राशियाँ और परिसम्पतियाँ समान उद्देश्यों वाले किसी संगठन को दे दी जाएगी।

यह अधिसूचना संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ताओं की किसी अन्य प्राप्ति अथवा आय पर। संस्था के आय की कराधेयता अथवा अन्यथा पर, आयकर अधिनियम, 1961 के उपबंधों के अनुसार पृथक् रूप से विचार किया जाएगा।

[अधिसूचना सं. 247/2006/फा. सं. 197/88/2006-आ.क.नि.-I]

दीपक गर्ग, अवर सचिव

New Delhi, the 12th September, 2006

(INCOME-TAX)

S.O. 3760.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf of “Jyotirmath Badrikashram Himalaya, Kolkata” (hereinafter the ‘Institution’) shall not be included in the total income of such person as assessable for the assessment years 2005-2006 to 2007-2008, subject to the following conditions namely :—

- (i) the Institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2003, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years;
- (ii) the Institution will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintained in respect of such business;
- (iv) the Institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;
- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt or income of such recipients. Taxability, or, otherwise, of the income of the Institution would be separately considered as per the provisions of the Income-tax Act, 1961.

[Notification No. 247/2006/F.No. 197/88/2006-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 12 सितम्बर, 2006

New Delhi, the 12th September, 2006

(आयकर)

(INCOME-TAX)

का.आ. 3761.-आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23 ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा यह अधिसूचित करती है कि “सेन्टर फार डेवलपमेंट एण्ड ह्यूमन राइट्स, नई दिल्ली” (इसके बाद “संस्था” कहा गया है) की ओर से किसी व्यक्ति द्वारा प्राप्त की गई कोई आय निम्नलिखित शर्तों के अधीन कर निर्धारण वर्ष 2002-2003 से 2004-2005 तक के लिए ऐसे व्यक्ति की सकल आय में कराधेय आय के रूप में शामिल नहीं की जाएगी :-

- (i) संस्था अपनी आय का इस्तेमाल अथवा अपनी आय का इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अन्नयतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है तथा उस मामले में जहाँ इस की पंद्रह प्रतिशत से अधिक आय 1 अप्रैल, 2002 के पहले दिन में या उसके पश्चात् आय एकत्र की गई है, इसकी आय के संचयन की राशि के पंद्रह प्रतिशत से अधिक होने की अवधि किसी भी स्थिति में पाँच वर्ष से अधिक नहीं होनी चाहिए;
- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (ज्वेल-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाष हो जब तक कि ऐसा कारोबार संस्था के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएँ नहीं रखी जाती हों;
- (iv) संस्था आयकर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष फाइल करेगा;
- (v) विघटन की स्थिति में संस्था अतिरिक्त राशियाँ और परिसम्पत्तियाँ समान उद्देश्यों वाले धर्मार्थ संगठन को दे दी जाएगी।

यह अधिसूचना संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ता द्वारा किसी अन्य प्राप्ति अथवा आय पर। संस्था की कराधेयता अथवा अन्यथा आय पर, आयकर अधिनियम, 1961 के उपबंधों के अनुसार पृथक रूप से विचार किया जाएगा।

[अधिसूचना सं 248/2006/फा. सं. 197/78/2005-आ.क.नि.-I]

दीपक गर्ग, अवर सचिव

S.O. 3761.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf “Centre for Development and Human Rights, New Delhi” (hereinafter referred to as the “Institution”) shall not be included in the total income of such person as assessable for the Assessment Years 2002-2003 to 2004-2005, subject to the following conditions :—

- (i) the Institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2002, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years;
- (ii) the Institution will not invest or deposit its fund (other than voluntary contribution and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintained in respect of such business;
- (iv) the Institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;
- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt or income of such recipients. Taxability, or, otherwise, of the income of the Institution would be separately considered as per the provisions of the Income-tax Act, 1961.

[Notification No. 248/2006/F. No. 197/78/2005-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 12 सितम्बर, 2006

New Delhi, the 12th September, 2006

(आयकर)

(INCOME-TAX)

का.आ. 3762.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23 ग) के उप-खंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा यह अधिसूचित करती है कि “नेशनल हाईवेस अथॉरिटी ऑफ इंडिया (भूतल परिवहन मंत्रालय) जी-5 एवं 6, सेक्टर-10, द्वारका, नई दिल्ली” (इसके बाद “संस्था” कहा गया है) की ओर से किसी व्यक्ति द्वारा प्राप्त की गई कोई आय निम्नलिखित शर्तों के अधीन कर निर्धारण वर्ष 2002-2003 से 2004-2005 तक के लिए ऐसे व्यक्ति की सकल आय में कराधेय आय के रूप में शामिल नहीं की जाएगी :

- (i) संस्था अपनी आय का इस्तेमाल अथवा अपनी आय का इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है तथा उस मामले में जहाँ इस की पंद्रह प्रतिशत से अधिक आय अप्रैल, 2002 के पहले दिन में या उसके पश्चात् आय एकत्र की गई है, इसकी आय के चयन की राशि के पंद्रह प्रतिशत से अधिक होने की अवधि किसी भी स्थिति में पाँच वर्ष से अधिक नहीं होनी चाहिए ;
- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उप-धारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक दंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (ज्वेलर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगी अथवा उसे जमा नहीं करेगी ;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार संस्था के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएँ नहीं रखी जाती हों ;
- (iv) संस्था आय कर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष फाइल करेगा ;
- (v) विघटन की स्थिति में संस्था की अतिरिक्त राशियाँ और परिसम्पत्तियाँ समान उद्देश्यों वाले धर्मार्थ संगठन को दे दी जाएंगी ।

यह अधिसूचना केवल संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ता द्वारा किसी प्राप्ति अथवा आय पर । संस्था की कराधेयता अथवा अन्यथा आय पर, आयकर अधिनियम, 1961 के उपबंधों के अनुसार पृथक रूप से विचार किया जाएगा ।

[अधिसूचना सं 249/2006/फा.सं. 197/46/2006-आ.क. नि.-1]

दीपक गर्ग, अवर सचिव

S.O. 3762.—In exercise of powers conferred by sub-clause (iv) of the clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf “National Highways Authority of India (Ministry of Surface Transport), G-5 & 6, Sector-10, Dwarka, New Delhi” (hereinafter the ‘Institution’) shall not be included in the total income of such person as assessable for the Assessment Years 2002-2003 to 2004-2005, subject to the following conditions :—

- (i) the Institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2002, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years ;
- (ii) the Institution will not invest or deposit its fund (other than voluntary contribution received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of the Section 11 ;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintained in respect of such business;
- (iv) the Institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;
- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt or income of such recipients. Taxability or, otherwise of the income of the Institution would be separately considered as per the provisions of the Income tax Act, 1961.

[Notification No. 249/2006/F. No. 197/46/2006-ITA-1]

DEEPAK GARG, Under Secy.

नई दिल्ली, 12 सितम्बर, 2006

(आयकर)

का.आ. 3763.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23 ग) के उप-खंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा यह अधिसूचित करती है कि “एक्सपोर्ट प्रमोशन काउंसिल फार हैंडिक्राफ्ट, नई दिल्ली” (इसके बाद “संस्था” कहा गया है) की ओर से किसी व्यक्ति द्वारा प्राप्त की गई कोई आय निम्नलिखित शर्तों के अधीन कर निर्धारण वर्ष, 2005-2006 से 2007-2008 तक के लिए ऐसे व्यक्ति की सकल आय में कराधेय आय के रूप में शामिल नहीं की जाएगी :

- (i) संस्था अपनी आय का इस्तेमाल अथवा इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है तथा उस मामले में जहाँ इसकी पंद्रह प्रतिशत से अधिक आय 1 अप्रैल, 2002 के पहले दिन को या उसके पश्चात एकत्र की गई है, इसकी आय के चयन की राशि के पंद्रह प्रतिशत से अधिक होने की अवधि किसी भी स्थिति में पाँच वर्ष से अधिक नहीं होनी चाहिए;
- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उप-धारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगी अथवा उसे जमा नहीं करेगी;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार संस्था के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा पुस्तिकाएँ नहीं रखी जाती हों;
- (iv) संस्था आय कर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष दाखिल करेगी;
- (v) विघटन की स्थिति में संस्था की अतिरिक्त राशियाँ और परिसम्पत्तियाँ समान उद्देश्यों वाले किसी संगठन को दे दी जाएंगी।

यह अधिसूचना संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ताओं की किसी अन्य प्राप्ति अथवा आय पर। संस्था के आय की कराधेयता अथवा अन्यथा पर, आयकर अधिनियम, 1961 के उपबंधों के अनुसार पृथक रूप से विचार किया जाएगा।

[अधिसूचना सं. 250/2006/फा.सं. 197/60/2005-आ.क. नि.-I]

दीपक गर्ग, अवर सचिव

New Delhi, the 12th September, 2006

(INCOME-TAX)

S.O. 3763.—In exercise of the powers conferred by sub-clause (iv) of the clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf of “Export Promotion Council for Handicraft, New Delhi” (hereinafter referred to as the ‘Institution’) shall not be included in the total income of such person as assessable for the Assessment years 2005-2006 to 2007-2008, subject to the following conditions :—

- (i) the Institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2002, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years;
- (ii) the Institution will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of the Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintained in respect of such business;
- (iv) the Institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;
- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt or income of such recipients. Taxability or, otherwise, of the income of the Institution would be separately considered as per the provisions of the Income-tax Act, 1961.

[Notification No. 250/2006/F.No. 197/60/2006-ITA-I]

DEEPAK GARG. Under Secy.

नई दिल्ली, 12 सितम्बर, 2006

(आयकर)

का.आ. 3764.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा यह अधिसूचित करती है कि “डिफेंस सिविलियन्स मेडिकल एण्ड फण्ड, नई दिल्ली” (इसके बाद “संस्था” कहा गया है) की ओर से किसी व्यक्ति द्वारा प्राप्त की गई कोई आय निम्नलिखित शर्तों के अध्वधीन कर निर्धारण वर्ष, 1999-2000 से 2001-2002 तक के लिए ऐसे व्यक्ति की सकल आय में कराधेय आय के रूप में शामिल नहीं की जाएगी :

- (i) संस्था अपनी आय का इस्तेमाल अथवा इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है तथा उस मामले में जहाँ इस की पंद्रह प्रतिशत से अधिक आय 1 अप्रैल, 2002 के पहले दिन को या उसके पश्चात एकत्र की गई है, इसकी आय के चयन की राशि के पंद्रह प्रतिशत से अधिक होने की अवधि किसी भी स्थिति में पाँच वर्ष से अधिक नहीं होनी चाहिए;
- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (ज्वेलर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगी अथवा उसे जमा नहीं करेगी;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार संस्था के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएँ नहीं रखी जाती हों;
- (iv) संस्था आय कर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष दाखिल करेगी;
- (v) विघटन की स्थिति में संस्था की अतिरिक्त राशियाँ और परिसम्पत्तियाँ समान उद्देश्यों वाले किसी संगठन को दे दी जाएगी ।

यह अधिसूचना संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ताओं की किसी अन्य प्राप्ति अथवा आय पर । संस्था के आय की कराधेयता अथवा अन्यथा पर, आयकर अधिनियम, 1961 के उपबंधों के अनुसार पृथक रूप से विचार किया जाएगा ।

[अधिसूचना सं. 251/2006/फा.सं. 197/127/2005-आ.क. नि.-I]

दीपक गर्ग, अव्वर सचिव

New Delhi, the 12th September, 2006

(INCOME-TAX)

S.O. 3764.—In exercise of the powers conferred by the sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf of “Defence Civilians Medical Aid Fund, New Delhi” (hereinafter referred to as the ‘Institution’) shall not be included in the total income of such person as assessable for the assessment years 1999-2000 to 2001-2002, subject to the following conditions namely :—

- (i) the Institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2002, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years;
- (ii) the Institution will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintained in respect of such business;
- (iv) the Institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;
- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt of income of such recipients. Taxability or, otherwise, of the income of the Institution would be separately considered as per the provisions of the Income-tax Act, 1961.

[Notification No. 251/2006/F.No. 197/127/2005-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 12 सितम्बर, 2006

New Delhi, the 12th September, 2006

(आयकर)

(INCOME-TAX)

का.आ. 3765.-आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23 ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा यह अधिसूचित करती है कि “**नेशनल हॉर्टीकल्चर बोर्ड, गुड़गाँव, हरियाणा**” (इसके बाद “**संस्था**” कहा गया है) की ओर से किसी व्यक्ति द्वारा प्राप्त की गई कोई आय निम्नलिखित शर्तों के अधीन कर निर्धारण वर्ष 2005-2006 से 2007-2008 तक के लिए ऐसे व्यक्ति की सकल आय में कराधेय आय के रूप में शामिल नहीं की जाएगी :

- (i) संस्था अपनी आय का इस्तेमाल अथवा आय का इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है तथा उस मामले में जहाँ इस की पंद्रह प्रतिशत से अधिक आय अप्रैल, 2002 के पहले दिन में या उसके पश्चात आय एकत्र की गई है, इसकी आय के संचयन की राशि के पंद्रह प्रतिशत से अधिक होने की अवधि किसी भी स्थिति में पाँच वर्ष से अधिक नहीं होनी चाहिए ;
- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगी अथवा उसे जमा नहीं करेगी ;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार संस्था के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों ;
- (iv) संस्था आय कर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष फाइल करेगा ;
- (v) विघटन की स्थिति में संस्था की अतिरिक्त राशियाँ और परिसम्पत्तियाँ समान उद्देश्यों वाले धर्मार्थ संगठन को दे दी जाएगी ।

यह अधिसूचना केवल संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ताओं द्वारा किसी प्राप्ति अथवा आय पर । संस्था की कराधेयता अथवा अन्यथा आय पर, आयकर अधिनियम, 1961 के उपबंधों के अनुसार पृथक रूप से विचार किया जाएगा ।

[अधिसूचना सं 252/2006/फा.सं. 197/63/2006-आ.क. नि.-1]

दीपक गर्ग, अवर सचिव

S.O. 3765.—In exercise of the powers conferred by the sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf of “**National Horticulture Board, Gurgaon, Haryana**” (hereinafter the ‘Institution’) shall not be included in the total income of such person as assessable for the Assessment years 2005-2006 to 2007-2008, subject to the following conditions :—

- (i) the Institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2002, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years ;
- (ii) the Institution will not invest or deposit its fund (other than voluntary contribution and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11 ;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintained in respect of such business;
- (iv) the Institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961;
- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt or income of such recipients. Taxability, or, otherwise, of the income of the Institution would be separately considered as per the provisions of the Income tax Act, 1961.

[Notification No. 252/2006/F.No. 197/63/2006-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 12 सितम्बर, 2006

New Delhi, the 12th September, 2006

(आयकर)

(INCOME-TAX)

का.आ. 3766.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23 ग) के उपखंड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा “श्री रमन आश्रमम तिरुवन्नमलाई, तमिलनाडु” (इसके बाद “संस्था” कहा गया है) की ओर से किसी व्यक्ति द्वारा प्राप्त की गई कोई आय निम्नलिखित शर्तों के अधीन कर निर्धारण वर्ष 2005-2006 से 2007-2008 तक के लिए ऐसे व्यक्ति की सकल आय में कराधेय आय के रूप में शामिल नहीं की जाएगी :

- (i) संस्था अपनी आय का इस्तेमाल अथवा इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगी जिनके लिए इसकी स्थापना की गई है तथा उस मामले में जहाँ इसकी पंद्रह प्रतिशत से अधिक आय 1 अप्रैल, 2002 के पहले दिन को या उसके पश्चात् आय एकत्र की गई है, इसकी आय के चयन की राशि के पंद्रह प्रतिशत से अधिक होने की अवधि किसी भी स्थिति में पाँच वर्ष से अधिक नहीं होनी चाहिए ;
- (ii) संस्था उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से अपनी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगी अथवा उसे जमा नहीं करेगी
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ हो जब तक कि ऐसा कारोबार संस्था के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएँ नहीं रखी जाती हों ;
- (iv) संस्था आय कर अधिनियम, 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्राधिकारी के समक्ष दाखिल करेगा ;
- (v) विघटन की स्थिति में संस्था की अतिरिक्त राशियाँ और परिसम्पत्तियाँ समान उद्देश्यों वाले किसी संगठन को दे दी जाएगी ।

यह अधिसूचना संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ता की किसी अन्य प्राप्ति अथवा आय पर । संस्था की आय की कराधेयता अथवा अन्यथा आय पर, आयकर अधिनियम, 1961 के उपबंधों के अनुसार पृथक् रूप से विचार किया जाएगा ।

[अधिसूचना सं 253/2006/फा.सं. 197/20/2006-आ.क. नि.-I]

दीपक गर्ग, अवर सचिव

S.O. 3766.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies that any income received by any person on behalf of “Sri Ramanasaramam, Tiruvannamalai, Tamil Nadu” (hereinafter referred to as the ‘Institution’) shall not be included in the total income of such person as assessable for the Assessment years 2005-2006 to 2007-2008, subject to the following conditions :—

- (i) the Institution will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established and in a case where more than fifteen per cent of its income is accumulated on or after the 1st day of April, 2002, the period of the accumulation of the amount exceeding fifteen per cent of its income shall in no case exceed five years ;
- (ii) the Institution will not invest or deposit its fund (other than voluntary contribution received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above other wise than in any one or more of the forms or modes specified in sub-section (5) of Section 11 ;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the Institution and separate books of account are maintained in respect of such business ;
- (iv) the Institution will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-tax Act, 1961 ;
- (v) that in the event of dissolution of the Institution, its surplus and the assets will be given to an organization with similar objectives.

This notification is applicable only to the recipients of income on behalf of the Institution and not to any other receipt or income of such recipients. Taxability, or, otherwise, or the income of the Institution would be separately considered as per the provisions of the Income tax Act, 1961.

[Notification No. 253/2006/F. No. 197/20/2006-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 12 सितम्बर, 2006

(आयकर)

का.आ. 3767.—जबकि आयकर अधिनियम, 1961 (1961 का 43) (यहां आगे उक्त अधिनियम कहा गया है) की धारा 80 झक की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार ने 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2002 को समाप्त होने वाली अवधि के लिये संख्या का.आ. 193(अ), दिनांक 30 मार्च, 1999 के जरिए तथा 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2006 को समाप्त अवधि के लिए संख्या का.आ. 354(अ) के जरिए भारत सरकार, वाणिज्य और उद्योग मंत्रालय (औद्योगिक नीति और संवर्धन विभाग) की अधिसूचनाओं द्वारा औद्योगिक पार्क की योजना निर्मित और अधिसूचित की है ;

और, जबकि, मैसर्स बंगाल इंटेलिजेंट पार्क प्राइवेट लिमिटेड जिसका पंजीकृत कार्यालय 9बी, वूड स्ट्रीट, तीसरी मंजिल, कोलकाता-700016 में है, प्लॉट संख्या ए 2, एम 2 और एन 2, ब्लॉक नं. ई पी और जी पी, सैक्टर V, साल्ट लेक इलेक्ट्रॉनिक्स कॉम्प्लेक्स, विधाननगर, कोलकाता में एक औद्योगिक पार्क का विकास कर रहा है;

और, जबकि, केन्द्र सरकार ने इस अधिसूचना के अनुबंध में उल्लिखित नियम और शर्तों के अधीन वाणिज्य तथा उद्योग मंत्रालय के दिनांक 13-5-2005 के पत्र सं. 15/5/2005-आई पी एंड आई डी (वाणिज्य तथा उद्योग मंत्रालय के दिनांक 25-5-2005 के पत्र सं. 15/5/05-आई पी एंड आई डी द्वारा संशोधित) के अन्तर्गत उक्त औद्योगिक पार्क अनुमोदित किया है ;

इसलिए, अब, उक्त अधिनियम की धारा 80 झक की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उक्त खंड (iii) के प्रयोजनार्थ औद्योगिक पार्क के रूप में मैसर्स बंगाल इंटेलिजेंट पार्क्स प्राइवेट लिमिटेड कोलकाता द्वारा विकसित तथा अनुमोदित एवं प्रचालित किए जा रहे उक्त उपक्रम को अधिसूचित करती है :

अनुबंध

नियम एवं शर्तें जिन पर भारत सरकार ने मैसर्स बंगाल इंटेलिजेंट पार्क प्राइवेट लिमिटेड कोलकाता द्वारा औद्योगिक पार्क की गठित किए जाने हेतु अनुमोदन प्रदान किया है।

- I. (i) औद्योगिक उपक्रम : बंगाल इंटेलिजेंट पार्क्स
का नाम प्राइवेट लिमिटेड
- (ii) प्रस्तावित स्थान : प्लॉट सं. ए 2, एम 2 और
एन 2, ब्लॉक नं. ई पी और
जी पी, सैक्टर वी, साल्ट
लेक इलेक्ट्रॉनिक्स कॉम्प्लेक्स,
विधाननगर, कोलकाता
- (iii) औद्योगिक पार्क का क्षेत्रफल : 57.238 वर्ग मीटर

(iv) प्रस्तावित कार्यकलाप :

एन आई सी संहिता के साथ औद्योगिक कार्यकलाप का स्वरूप

क्र.सं.	एन आई सी संहिता				विवरण
	अनुभाग	प्रभाग	समूह	श्रेणी	
क	2 और 3	--	--	--	विनिर्माण कार्यकलाप
ख	4	--	--	--	बिजली, गैस और पानी
ग	7	75	--	--	संचार सेवाएं
घ	8	89	892	--	डाटा प्रोसेसिंग, साफ्टवेयर विकास तथा कम्प्यूटर कंसल्टेंसी सेवाएं
ड.	8	89	893	--	कारोबार तथा प्रबंधन कंसल्टेंसी कार्यकलाप
च	8	89	894	--	वास्तुशिल्पीय तथा इंजीनियरी एवं अन्य तकनीकी कंसल्टेंसी कार्यकलाप
छ	8	89	895	--	तकनीकी परीक्षण एवं विश्लेषण सेवाएं

- (v) औद्योगिक उपयोग के लिए प्रस्तावित आबंटनीय क्षेत्र का प्रतिशत : 90.44% (31,850 वर्ग मीटर)
- (vi) वाणिज्यिक उपयोग के लिए निर्धारित भूमि का प्रतिशत : 9.560% (3,336 वर्ग मीटर)
- (vii) औद्योगिक यूनिटों की न्यूनतम संख्या : 6 यूनिटें
- (viii) प्रस्तावित कुल निवेश (राशि रुपए में) : 773,76,231/-
- (ix) औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश (राशि रुपए में) : 598,723,675/-
- (x) अवसंरचनात्मक विकास पर निवेश जिसमें औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश भी शामिल है (राशि रुपए में) : 699,454,555/-
- (xi) औद्योगिक पार्क के आरम्भ होने की प्रस्तावित तिथि : 28 फरवरी, 2006

2. किसी औद्योगिक पार्क में अवसंरचना विकास पर न्यूनतम निवेश कुल परियोजना लागत के 50% से कम नहीं होगा। ऐसे औद्योगिक पार्क जो औद्योगिक उपयोग के लिए निर्मित स्थल प्रदान करता है, के मामले में औद्योगिक स्थल के निर्माण कार्य की लागत सहित विकास अवसंरचना पर न्यूनतम खर्च कुल परियोजना लागत के 60% से कम नहीं होगा।

3. संरचना विकास में सड़क (सम्पर्क सड़क सहित), जलापूर्ति तथा सीवरज, दूषित जल शोधन सुविधा, टेलिकॉम नेटवर्क, विद्युत उत्पादन एवं वितरण, वातानुकूलन तथा ऐसी अन्य सुविधाएँ जो औद्योगिक कार्यकलाप हेतु सामान्य उपयोग के लिए हैं जो वाणिज्यिक दृष्टि से निर्धारणीय एवं प्रयुक्त हैं।

4. दिनांक 1 अप्रैल, 2002 की का.आ. 354(अ) के पैराग्राफ 6 के उप-पैराग्राफ (ख) में निर्दिष्ट तालिका के कालम (2) में उल्लिखित कोई एकल इकाई किसी औद्योगिक पार्क के लिए नियत औद्योगिक क्षेत्र का 50% से अधिक हिस्सा धारित नहीं करेगी। इस प्रयोजनार्थ किसी इकाई का आशय एक या एक से अधिक राज्य अथवा केन्द्रीय कर-कानून के प्रयोजन के लिए किसी अलग तथा भिन्न कम्पनी से है।

5. आवश्यक अनुमोदनों, जिनमें विदेशी निवेश संवर्धन बोर्ड अथवा भारतीय रिजर्व बैंक अथवा उस समय प्रवृत्त किसी कानून के अंतर्गत विनिर्दिष्ट किसी प्राधिकरण द्वारा विदेशी प्रत्यक्ष निवेश अथवा अनिवासी भारतीय निवेश के लिए अनुमोदन शामिल है, को प्रवृत्त नीति तथा प्रक्रियाओं के अनुसार अलग से लिया जाएगा।

6. इस अधिसूचना के पैरा 1(vii) में विनिर्दिष्ट संख्या में इकाइयों के औद्योगिक पार्क में अवस्थित होने के उपरान्त ही इस अधिनियम के अन्तर्गत कर लाभ प्राप्त हो सकते हैं।

7. मैसर्स बंगाल इंटेलिजेंट पार्क प्राइवेट लिमिटेड कोलकाता उस अवधि के दौरान औद्योगिक पार्क का प्रचालन जारी रखेगा जिस अवधि में आयकर अधिनियम, 1961 की धारा 80 झक की उप-धारा (4) के खंड (iii) के अन्तर्गत लाभ लिए जाने हैं।

8. यदि उक्त औद्योगिक पार्क के आरंभ होने में इस अधिसूचना के पैरा 1(xi) में निर्दिष्ट तिथि से एक वर्ष से ज्यादा विलम्ब होता है तो आयकर अधिनियम, 1961 की धारा 80 झक की उप-धारा 4(iii) के अन्तर्गत लाभ प्राप्त करने के लिए औद्योगिक पार्क योजना, 2002 के अंतर्गत नया अनुमोदन प्राप्त करना अपेक्षित होगा।

9. यह अनुमोदन अवैध रहेगा और मैसर्स बंगाल इंटेलिजेंट पार्क प्राइवेट लिमिटेड कोलकाता ऐसी किसी प्रतिक्रिया की अवैधता के लिए स्वयं ही जिम्मेदार होगा, यदि

- (i) आवेदन पत्र जिसके आधार पर केन्द्र सरकार द्वारा अनुमोदन प्रदान किया गया है, में गलत सूचना/सूचना अथवा कतिपय तथ्यपरक सूचना न दी गई हो।

- (ii) यह उक्त औद्योगिक पार्क की अवस्थिति हेतु है जिसके लिए अनुमोदन किसी अन्य उपक्रम के नाम में पहले ही प्रदान किया गया है।

10. यदि मैसर्स बंगाल इंटेलिजेंट पार्क प्राइवेट लिमिटेड, कोलकाता (अर्थात् अन्तरणकर्ता उपक्रम) औद्योगिक पार्क का प्रचालन और अनुरक्षण किसी दूसरे उपक्रम (अर्थात् अंतरिती उपक्रम) को हस्तांतरित करेगा तो अंतरणकर्ता और अंतरिती उपर्युक्त हस्तांतरण के लिए अंतरणकर्ता और अंतरिती उपक्रम के बीच निष्पादित करार की प्रति के साथ औद्योगिक सहायता सचिवालय, औद्योगिक नीति और संवर्धन विभाग, उद्योग भवन, नई दिल्ली-11 की उद्यमशीलता सहायता यूनिट संयुक्त रूप से सूचित करेंगे।

11. इस अधिसूचना में उल्लिखित शर्तों के साथ-साथ औद्योगिक पार्क स्कीम, 2002 में शामिल उन शर्तों का अनुपालन उस अवधि के दौरान किया जाना चाहिए जिसके लिए इस स्कीम के अंतर्गत लाभ प्राप्त किए जाने हैं। केन्द्र सरकार उपर्युक्त अनुमोदन को वापस ले सकती है मैसर्स बंगाल इंटेलिजेंट पार्क प्राइवेट लिमिटेड कोलकाता औद्योगिक पार्क स्कीम, 2002 में विहित शर्तों अथवा इस अधिसूचना की किसी भी शर्त के अनुपालन में असफल रहता है।

12. केन्द्र सरकार के अनुमोदन के बिना प्रोजेक्ट प्लान में किया गया कोई भी संशोधन अथवा भविष्य में पता लगना अथवा किसी ठोस तथ्य का उद्घाटन करने में आवेदक का असफल रहना, औद्योगिक पार्क के अनुमोदन को अवैध बना देगा।

[अधिसूचना सं. 254/2006/फा. सं. 178/56/2005-आ.क.नि.-1]

दीपक गर्ग, अवर सचिव

New Delhi, the 12th September, 2006

(INCOME-TAX)

S.O. 3767.—Whereas the Central Government in exercise of the powers conferred by clause (iii) of sub-section(4) of Section 80-IA of the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the said Act), has framed and notified a scheme for industrial park, by the notifications of the Government of India in the Ministry of Commerce and Industry (Department of Industrial Policy and Promotion) vide number S.O.193(E), dated the 30th March, 1999, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2002 and vide number S.O. 354(E) dated the 1st day of April, 2002, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2006;

And whereas M/s. Bengal Intelligent Parks Private Limited, having registered office at 9B, Wood Street, 3rd Floor, Kolkata-700 016 is developing an Industrial Park at Plot No. A2, M2 and N2, Block No. EP and GP, Sector V, Salt Lake Electronics Complex, Bidhannagar, Kolkata;

And whereas the Central Government has approved the said Industrial Park vide Ministry of Commerce and Industry letter No. 15/5/05-IP&ID dated 13-05-2005 (corrected by Ministry of Commerce and Industry vide its letter No. 15/5/05-IP&ID dated 25-05-2005) subject to the terms and conditions mentioned in the annexure to this notification;

Now, therefore, in exercise of the powers conferred by clause (iii) of sub-section (4) of Section 80-IA of the said Act, the Central Government hereby notifies the undertaking, being developed and being maintained and operated by M/s. Bengal Intelligent Parks Private Limited, Kolkata, as an industrial park for the purposes of the said clause (iii).

ANNEXURE

The terms and conditions on which the approval of the Government of India has been accorded for setting up of an industrial park by M/s. Bengal Intelligent Parks Private Limited, Kolkata.

1. (i) Name of the Industrial Undertaking : Bengal Intelligent Parks Private Limited
- (ii) Proposed location : Plot No. A2, M2 and N2, Block No. EP and GP, Sector V, Salt Lake Electronics Complex, Bidhannagar, Kolkata.
- (iii) Total area of Industrial Park : 57,238 Square Meters
- (iv) Proposed activities :

Sl.No.	Nature of Industrial activity with NIC code				Description
	Section	Division	Group	Class	
A	2&3	-	-	-	Manufacturing.
B	4	-	-	-	Electricity, Gas & Water.
C	7	75	-	-	Communication Services.
D	8	89	892	-	Data Processing, Software Development and Computer consultancy services.
E	8	89	893	-	Business and management consultancy activities.
F	8	89	894	-	Architectural and engineering and other technical consultancy activities.
G	8	89	895	-	Technical testing and analysis services.

- (v) Percentage of allocable area earmarked for industrial use : 90.44% (31,850 square meters)
 - (vi) Percentage of allocable area earmarked for commercial use : 9.56% (3,336 square meters)
 - (vii) Minimum number of industrial units : 6 Units
 - (viii) Total investments proposed (Amount in Rupees) : 773,176,231/-
 - (ix) Investment on built up space for Industrial use (Amount in Rupees) : 598,723,675/-
 - (x) Investment on Infrastructure Development including investment on built up space for industrial use (Amount in Rupees) : 699,454,555/-
 - (xi) Proposed date of commencement of the Industrial Park : February 28, 2006
2. The minimum investment on infrastructure development in an Industrial Park shall not be less than 50% of the total project cost. In the case of an Industrial Park which provides built-up space for industrial use, the minimum expenditure on infrastructure development including cost of construction of industrial space, shall not be less than 60% of the total project cost.
 3. Infrastructure development shall include, roads (including approach roads), water supply and sewerage, common effluent treatment facility, telecom network, generation and distribution of power, air-conditioning and such other facilities as are for common use for industrial activity which are identifiable and are provided on commercial terms.
 4. No single unit referred to in column (2) of the Table given in sub-paragraph (b) of paragraph 6 of S.O. 354(E) dated the 1st April, 2002, shall occupy more than fifty per cent of the allocable industrial area of an Industrial Park. For this purpose a unit means any separate and distinct entity for the purpose of one and more state or Central tax laws.
 5. Necessary approvals, including that for foreign direct investment or non-resident Indian investment by the Foreign Investment Promotion Board or Reserve Bank of India or any authority specified under any law for the time being in force, shall be taken separately as per the policy and procedures in force.

6. The tax benefits under the Act can be availed of only after the number of units indicated in Para 1 (vii) of this Notification, are located in the Industrial Park.
7. M/s. Bengal Intelligent Parks Private Limited, Kolkata, shall continue to operate the Industrial Park during the period in which the benefits under clause (iii) of sub-section (4) of Section 80IA of the Income-tax Act, 1961 are to be availed.
8. In case the commencement of the Industrial Park is delayed by more than one year from the date indicated in Para 1 (xi) of this notification, fresh approval will be required under the Industrial Park Scheme, 2002, for availing benefits under sub-section 4(iii) of Section 80IA of the Income Tax Act, 1961.
9. The approval will be invalid and M/s. Bengal Intelligent Parks Private Limited, Kolkata, shall be solely responsible for any repercussions of such invalidity, if
 - (i) the application on the basis of which the approval is accorded by the Central Government contains wrong information/misinformation or some material information has not been provided in it;
 - (ii) it is for the location of the industrial park for which approval has already been accorded in the name of another undertaking.
10. In case M/s. Bengal Intelligent Parks Private Limited, Kolkata, transfers the operation and maintenance of the industrial park (i.e., transferor undertaking) to another undertaking (i.e., the transferee undertaking), the transferor and transferee shall jointly intimate to the Entrepreneurial Assistance Unit of the Secretariat for Industrial Assistance, Department of Industrial Policy and Promotion, Udyog Bhawan, New Delhi-11 along with a copy of the agreement executed between the transferor and transferee undertaking for the aforesaid transfer.
11. The conditions mentioned in this notification as well as those included in the Industrial Park Scheme, 2002 should be adhered to during the period for which benefits under this scheme are to be availed. The Central Government may withdraw the above approval in case M/s. Bengal Intelligent Parks Private Limited, Kolkata, fails to comply with any of the conditions.
12. Any amendment of the project plan without the approval of the Central Government or detection in future, or failure on the part of the applicant to disclose any material fact, will invalidate the approval of the industrial park.

[Notification No. 254/2006/F.No. 178/56/2005-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 12 सितम्बर, 2006

(आयकर)

का.आ. 3768.—जबकि आयकर अधिनियम, 1961 (1961 का 43) (यहां आगे उक्त अधिनियम कहा गया है) की धारा 80 झ क की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2002 को समाप्त होने वाली अवधि के लिये संख्या का. आ. 193 (अ) दिनांक 30 मार्च, 1999 के जरिए तथा 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2006 को समाप्त अवधि के लिए संख्या का.आ. 354(अ) के जरिए भारत सरकार, वाणिज्य और उद्योग मंत्रालय (औद्योगिक नीति और संवर्धन विभाग) की अधिसूचनाओं द्वारा औद्योगिक पार्क की योजना निर्मित और अधिसूचित की है;

और जबकि मैसर्स एस जे आर इन्फ्रास्ट्रक्चर प्राइवेट लिमिटेड, सं. 49, 27वाँ मेन, प्रथम चरण, बी टी एम ले आउट, बंगलौर-560 058 एक औद्योगिक पार्क अर्थात् सं. 147, प्लॉट सं. 13, 14 तथा 15, ई पी आई पी, औद्योगिक क्षेत्र, प्रथम चरण, हुड्डी ग्राम, के आर पुरम, हुबली, बंगलौर पूर्वी तालुक, कर्नाटक में 'एस जे आर, आई पार्क' का विकास कर रहा है;

और जबकि केन्द्र सरकार ने इस अधिसूचना के अनुबंध में उल्लिखित नियम और शर्तों के अधीन वाणिज्य तथा उद्योग मंत्रालय के दिनांक 8-12-2005 के पत्र सं. 15/63/05; आई पी एंड आई डी के अन्तर्गत उक्त औद्योगिक पार्क अनुमोदित किया है;

इसलिए अब उक्त अधिनियम की धारा 80 झ क की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उक्त खंड (iii) के प्रयोजनार्थ औद्योगिक पार्क के रूप में मैसर्स एस. जे. आर इन्फ्रास्ट्रक्चर प्राइवेट लिमिटेड, बंगलौर द्वारा विकसित तथा अनुरक्षित एवं प्रचालित किए जा रहे उक्त उपक्रम को अधिसूचित करती है।

अनुबंध

शर्तें जिन पर भारत सरकार ने मैसर्स एस जे आर इन्फ्रास्ट्रक्चर प्राइवेट लिमिटेड, बंगलौर द्वारा औद्योगिक पार्क की गठित किए जाने हेतु अनुमोदन प्रदान किया है।

1. (i) औद्योगिक उपक्रम का नाम : एस जे आर इन्फ्रास्ट्रक्चर प्राइवेट लिमिटेड (एस जे आर, आई पार्क)

(ii) प्रस्तावित स्थान : 'एस जे आर, आई पार्क' सं. 147, प्लॉट सं. 13, 14 और 15, ई पी आई पी औद्योगिक क्षेत्र, प्रथम चरण, हुड्डी के. आर. पुरम, हुबली, बंगलौर पूर्वी तालुक, कर्नाटक

(iii) औद्योगिक पार्क का क्षेत्रफल: सुपर निर्मित क्षेत्र—76,191.74 वर्ग मीटर

(iv) प्रस्तावित कार्यकलाप

एन आई सी संहिता के साथ औद्योगिक कार्यकलाप का स्वरूप

क्र.सं.	एन आई सी संहिता	विवरण
	अनुभाग प्रभाग समूह श्रेणी	
क	8 89 892 -	डाटा प्रोसेसिंग सॉफ्टवेयर डेवलपमेंट एंड कंप्यूटर कंसल्टेंसी सर्विसिज
(v)	औद्योगिक उपयोग के लिए प्रस्तावित आबंटनीय क्षेत्र का प्रतिशत	: 95%
(vi)	वाणिज्यिक उपयोग के लिए निर्धारित भूमि का प्रतिशत	: 5%
(vii)	औद्योगिक यूनिटों की न्यूनतम संख्या	: 3 यूनिटें
(vi)	प्रस्तावित कुल निवेश (राशि रुपए में)	: 1,37,62,50,000/-
(ix)	औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश (राशि रुपए में)	: 58,30,62,500/-
(x)	अवसंरचनात्मक विकास पर निवेश जिसमें औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश भी शामिल है (राशि रुपए में)	: 1,03,75,62,500/-
(xi)	औद्योगिक पार्क के आरंभ होने की प्रस्तावित तिथि	: 30-11-2005

2. किसी औद्योगिक पार्क में अवसंरचना विकास पर न्यूनतम निवेश कुल परियोजना लागत के 50% से कम नहीं होगा। ऐसे औद्योगिक पार्क जो औद्योगिक उपयोग के लिए निर्मित स्थल प्रदान करता है, के मामले में औद्योगिक स्थल के निर्माण कार्य की लागत सहित विकास अवसंरचना पर न्यूनतम खर्च कुल परियोजना लागत के 60% से कम नहीं होगा।
3. संरचना विकास में सड़क (सम्पर्क सड़क सहित), जलापूर्ति तथा सीवरेज, दूषित जल शोधन सुविधा, टेलिकॉम नेटवर्क, विद्युत उत्पादन एवं वितरण, वातानुकूलन तथा ऐसी अन्य सुविधाएं जो औद्योगिक कार्यकलाप हेतु सामान्य उपयोग के लिए हैं जो वाणिज्यिक दृष्टि से निर्धारणीय एवं प्रयुक्त हैं।
4. दिनांक 1 अप्रैल, 2002 की का. आ. 354 (अ) के पैराग्राफ 6 के उप-पैराग्राफ (ख) में निर्दिष्ट तालिका के कालम (2) में उल्लिखित कोई एकल इकाई किसी औद्योगिक पार्क के लिए नियत औद्योगिक क्षेत्र का 50% से

अधिक हिस्सा धारित नहीं करेगी। इस प्रयोजनार्थ किसी इकाई का आशय एक या एक से अधिक राज्य अथवा केन्द्रीय कर कानून के प्रयोजन के लिए किसी अलग तथा भिन्न कम्पनी से है।

5. आवश्यक अनुमोदनों, जिनमें विदेशी निवेश संवर्धन बोर्ड अथवा भारतीय रिजर्व बैंक अथवा उस समय प्रवृत्त किसी कानून के अंतर्गत विनिर्दिष्ट किसी प्राधिकरण द्वारा विदेशी प्रत्यक्ष निवेश अथवा अनिवासी भारतीय निवेश के लिए अनुमोदन शामिल है, को प्रवृत्त नीति तथा प्रक्रियाओं के अनुसार अलग से लिया जाएगा।

6. इस अधिसूचना के पैरा 1 (vii) में विनिर्दिष्ट संख्या में इकाइयों के औद्योगिक पार्क में अवस्थित होने के उपरान्त ही इस अधिनियम के अन्तर्गत कर लाभ प्राप्त हो सकते हैं।

7. मैसर्स एस जे आर इन्फ्रास्ट्रक्चर प्राइवेट लिमिटेड, बंगलौर उस अवधि के दौरान औद्योगिक पार्क का प्रचालन जारी रखेगा जिस अवधि में आयकर अधिनियम, 1961 की धारा 80 झ क की उपधारा (4) के खंड (iii) के अन्तर्गत लाभ लिए जाने हैं।

8. यदि उक्त औद्योगिक पार्क के आरंभ होने में इस अधिसूचना के पैरा 1 (xi) में निर्दिष्ट तिथि से एक वर्ष से ज्यादा विलम्ब होता है तो आयकर अधिनियम, 1961 की धारा 80 झ क की उप-धारा 4 (iii) के अन्तर्गत लाभ प्राप्त करने के लिए औद्योगिक पार्क योजना, 2002 के अन्तर्गत नया अनुमोदन प्राप्त करना अपेक्षित होगा।

9. यह अनुमोदन अवैध रहेगा और मैसर्स एस जे आर इन्फ्रास्ट्रक्चर प्राइवेट लिमिटेड, बंगलौर ऐसी किसी प्रतिक्रिया की अवैधता के लिए स्वयं ही जिम्मेदार होगा, यदि

(i) आवेदन पत्र जिसके आधार पर केंद्र सरकार द्वारा अनुमोदन प्रदान किया गया है, में गलत सूचना/सूचना अथवा कतिपय तथ्यसमूह सूचना न दी गई हो।

(ii) यह उक्त औद्योगिक पार्क की अवस्थिति हेतु है जिसके लिए अनुमोदन किसी अन्य उपक्रम के ताम में पहले ही प्रदान किया गया है।

10. मैसर्स एस जे आर इन्फ्रास्ट्रक्चर प्राइवेट लिमिटेड, बंगलौर (अर्थात् अंतरणकर्ता उपक्रम) औद्योगिक पार्क का प्रचालन और अनुरक्षण किसी दूसरे उपक्रम (अर्थात् अंतरिती उपक्रम) को हस्तांतरित करेगा तो अंतरणकर्ता और अंतरिती उपर्युक्त हस्तांतरण के लिए अंतरणकर्ता और अंतरिती उपक्रम के बीच निष्पादित करार की प्रति के साथ औद्योगिक सहायता सचिवालय, औद्योगिक नीति और संवर्धन विभाग, उद्योग भवन, नई दिल्ली-11 की उद्यमशीलता सहायता यूनिट को संयुक्त रूप से सूचित करेंगे।

11. इस अधिसूचना में उल्लिखित शर्तों के साथ-साथ औद्योगिक पार्क स्कीम, 2002 में शामिल उन शर्तों का अनुपालन उस

अवधि के दौरान किया जाना चाहिए जिसके लिए इस स्कीम के अंतर्गत लाभ प्राप्त किए जाने हैं। केन्द्र सरकार उपर्युक्त अनुमोदन को वापस ले सकती है मैसर्स एस जे आर इन्फ्रास्ट्रक्चर प्राइवेट लिमिटेड, बंगलौर औद्योगिक पार्क स्कीम, 2002 में विहित शर्तों अथवा इस अधिसूचना की किसी भी शर्त के अनुपालन में असफल रहता है।

12. केन्द्र सरकार के अनुमोदन के बिना प्रोजेक्ट प्लान में किया गया कोई भी संशोधन अथवा भविष्य में पता लगना अथवा किसी ठोस तथ्य का उद्घाटन करने में आवेदक का असफल रहना, औद्योगिक पार्क के अनुमोदन को अवैध बना देगा।

[अधिसूचना सं. 255/2006/फा.सं. 178/64/2006-आ.क.नि.-I]

दीपक गर्ग, अवर सचिव

New Delhi, the 12th September, 2006

(INCOME-TAX)

S.O. 3768.—Whereas the Central Government in exercise of the powers conferred by clause (iii) of Sub-section (4) of Section 80-IA of the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the said Act), has framed and notified a scheme for industrial park, by the notifications of the Government of India in the Ministry of Commerce and Industry (Department of Industrial Policy and Promotion) vide number S.O.193(E), dated the 30th March, 1999, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2002 and vide number S.O. 354(E) dated the 1st day of April, 2002, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2006;

And whereas M/s. SJR Infrastructure Private Limited, No. 49, 27th Main, 1st Stage, BTM Layout Bangalore 560 068, is developing an Industrial Park, namely, 'SJR i-Park' at No. 147, Plot No. 13, 14 & 15, EPIP Industrial Area, First Phase, Hoodi Village, K.R. Puram, Hobli Bangalore East Taluk, Karnataka;

And whereas the Central Government has approved the said Industrial Park vide Ministry of Commerce and Industry letter No. 15/63/05-IP&ID dated 8.12.2005 subject to the terms and conditions mentioned in the annexure to this notification;

Now, therefore, in exercise of the powers conferred by clause (iii) of sub-section (4) of Section 80-IA of the said Act, the Central Government hereby notifies the undertaking being developed and being maintained and operated by M/s. SJR Infrastructure Private Limited, Bangalore, as an industrial park for the purposes of the said clause (iii).

ANNEXURE

The terms and conditions on which the approval of the Government of India has been accorded for setting up of an industrial park by M/s. SJR Infrastructure Private Limited, Bangalore.

1. (i) Name of the Industrial undertaking : SJR Infrastructure Private Limited (SJR i-Park)
- (ii) Proposed location : SJR i-Park, No. 147, Plot No. 13, 14 & 15, EPIP Industrial Area, First Phase, Hoodi Village, K.R. Puram, Hobli, Bangalore East Taluk, Karnataka
- (iii) Area of Industrial Park : Super Built Area -76,191.74 Square Meters
- (iv) Proposed activities

Nature of Industrial activity with NIC code

NIC Code					Description	
Sl. No.	Sec- tion	Divi- sion	Group	Class		
A	8	89	892	-	-	Data Processing, Software Development and Computer Consultancy Services.

- (v) Percentage of allocable area earmarked for industrial use : 95%
- (vi) Percentage of allocable area earmarked for commercial use : 5%
- (vii) Minimum number of industrial units: : 3 Units
- (viii) Total investments proposed (Amount in Rupees) : 1,37,62,50,000/-
- (ix) Investment on built up space for Industrial use (Amount in Rupees) : 58,30,62,500/-
- (x) Investment on Infrastructure Development including investment on built up space for industrial use (Amount in Rupees) : 1,03,75,62,500/-
- (xi) Proposed date of commencement of the Industrial Park : 30.11.2005

2. The minimum investment on infrastructure development in an Industrial Park shall not be less than 50% of the total project cost. In the case of an Industrial Park which provides built-up space for industrial use, the minimum expenditure on infrastructure development including cost of construction of industrial space, shall not be less than 60% of the total project cost.

3. Infrastructure development shall include, roads (including approach roads), water supply and sewerage, common effluent treatment facility, telecom network, generation and distribution of power, air-conditioning and such other facilities as are for common use for industrial activity which are identifiable and are provided on commercial terms.
4. No single unit referred to in column (2) of the Table given in sub-paragraph (b) of paragraph 6 of S.O. 354(E) dated the 1st April, 2002, shall occupy more than fifty percent of the allocable industrial area of an Industrial Park. For this purpose a unit means any separate and distinct entity for the purpose of one and more State or Central Tax Laws.
5. Necessary approvals, including that for foreign direct investment or non-resident Indian Investment by the Foreign Investment Promotion Board or Reserve Bank of India or any authority specified under any law for the time being in force, shall be taken separately as per the policy and procedures in force.
6. The tax benefits under the Act can be availed of only after the number of units indicated in Para 1 (vii) of this Notification, are located in the Industrial Park.
7. M/s. SJR Infrastructure Private Limited, Bangalore, shall continue to operate the Industrial Park during the period in which the benefits under clause (iii) of sub-section (4) of Section 80-IA of the Income-Tax Act, 1961 are to be availed.
8. In case the commencement of the Industrial Park is delayed by more than one year from the date indicated in Para 1(xi) of this notification, fresh approval will be required under the Industrial Park Scheme, 2002, for availing benefits under sub-section 4(iii) of Section 80-IA of the Income Tax Act, 1961.
9. The approval will be invalid and M/s. SJR Infrastructure Private Limited, Bangalore, shall be solely responsible for any repercussions of such invalidity, if
 - (ii) the application on the basis of which the approval is accorded by the Central Government contains wrong information/misinformation or some material information has not been provided in it;
 - (ii) it is for the location of the Industrial Park for which approval has already been accorded in the name of another undertaking.
10. In case M/s. SJR Infrastructure Private Limited, Bangalore, transfers the operation and maintenance of the Industrial Park (i.e., transferor undertaking) to another undertaking (i.e., the transferee undertaking), the transferor and transferee shall jointly intimate to the Entrepreneurial Assistance Unit of the Secretariat for Industrial Assistance, Department of Industrial Policy and Promotion, Udyog Bhawan, New Delhi-11 along with a copy of the agreement executed between the transferor and transferee undertaking for the aforesaid transfer.
11. The conditions mentioned in this notification as well as those included in the Industrial Park Scheme, 2002 should be adhered to during the period for which benefits under this scheme are to be availed. The Central Government may withdraw the above approval in case M/s. SJR Infrastructure Private Limited, Bangalore, fails to comply with any of the conditions.
12. Any amendment of the project plan without the approval of the Central Government or detection in future, or failure on the part of the applicant to disclose any material fact, will invalidate the approval of the Industrial Park.

[Notification No. 255/2006/F. No. 178/64/2006-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 12 सितम्बर, 2006

(आयकर)

का.आ. 3769.—जबकि आयकर अधिनियम, 1961 (1961 का 43) (यहां आगे उक्त अधिनियम कहा गया है) की धारा 80 झक की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार ने 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2002 को समाप्त होने वाली अवधि के लिये संख्या का. आ. 193(अ) दिनांक 30 मार्च, 1999 के जरिए तथा 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2006 को समाप्त अवधि के लिए संख्या का.आ. 354(अ) के जरिए भारत सरकार, वाणिज्य और उद्योग मंत्रालय (औद्योगिक नीति और संवर्धन विभाग) की अधिसूचनाओं द्वारा औद्योगिक पार्क की योजना निर्मित और अधिसूचित की है ;

और जबकि मैसर्स आर. के. इन्वेस्टमेंट्स, सं. 28 (पुरानी सं. 21), डी-मॉटे कॉलोनी, अलवरपेट, चेन्नई-600015 सं. 184-187, अन्ना सलै, लिटिल माउंट, चेन्नई में एक औद्योगिक पार्क का विकास कर रहा है;

और जबकि केन्द्र सरकार ने इस अधिसूचना के अनुबंध में उल्लिखित नियम और शर्तों के अधीन वाणिज्य तथा उद्योग मंत्रालय के दिनांक 26-07-2006 के पत्र सं. 15/66/2005-आई पी डे आई डी के अन्तर्गत उक्त औद्योगिक पार्क अधिसूचित किया है ;

अब इसलिए उक्त अधिनियम की धारा 80 झ क की उपधारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उक्त खंड (iii) के प्रयोजनार्थ औद्योगिक पार्क के रूप में मैसर्स आर. के. इन्वेस्टमेंट्स, चेन्नई द्वारा विकसित तथा अनुरक्षित एवं प्रचालित किए जा रहे उक्त उपक्रम को अधिसूचित करती है।

अनुबंध

नियम एवं शर्तें जिन पर भारत सरकार ने मैसर्स आर. के. इन्वेस्टमेंट्स, चेन्नई द्वारा औद्योगिक पार्क की गठित किए जाने हेतु अनुमोदन प्रदान किया है।

1. (i) औद्योगिक उपक्रम का नाम : मैसर्स आर. के. इन्वेस्टमेंट्स, चेन्नई।

(ii) प्रस्तावित स्थान : सं. 184-187, अन्ना सलै, लिटिल माउंट, चेन्नई-600015

(iii) औद्योगिक पार्क का क्षेत्रफल : 35,956.04 वर्ग मीटर

(iv) प्रस्तावित कार्यकलाप

एन आई सी संहिता के साथ औद्योगिक कार्यकलाप का स्वरूप					
क्र.सं.	एन आई सी संहिता				विवरण
	अनुभाग	प्रभाग	समूह	श्रेणी	
क	7	75	—	—	संचार सेवाएं
ख	8	89	892	—	डाटा प्रोसेसिंग, साफ्टवेयर विकास तथा कंप्यूटर कंसलटेसी सेवाएं
ग	8	89	893	—	कारोबार तथा प्रबंधन कंसलटेसी कार्यकलाप
घ	8	89	894	—	वास्तुशिल्पीय तथा इंजीनियरी एवं अन्य तकनीकी कंसलटेसी कार्यकलाप

(v) औद्योगिक उपयोग के लिए प्रस्तावित आबंटनीय क्षेत्र का प्रतिशत : 90.01%

(vi) वाणिज्यिक उपयोग के लिए निर्धारित भूमि का प्रतिशत : 09.99%

(vii) औद्योगिक यूनिटों की प्रस्तावित संख्या : 8 यूनिटें

(viii) प्रस्तावित कुल निवेश (राशि रुपए में) : 32.00 करोड़

(ix) औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश (राशि रुपए में) : 19.50 करोड़

(x) अवसंरचनात्मक विकास पर निवेश जिसमें औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश भी शामिल है (राशि रुपए में) : 30.00 करोड़

(xi) औद्योगिक पार्क के आरंभ होने की प्रस्तावित तिथि : दिसम्बर, 2005

2. किसी औद्योगिक पार्क में अवसंरचना विकास पर न्यूनतम निवेश कुल परियोजना लागत के 50% से कम नहीं होगा। ऐसे औद्योगिक पार्क जो औद्योगिक उपयोग के लिए निर्मित स्थल प्रदान करता है, के मामले में औद्योगिक स्थल के निर्माण कार्य की लागत सहित विकास अवसंरचना पर न्यूनतम खर्च कुल परियोजना लागत के 60% से कम नहीं होगा।

3. संरचना विकास में सड़क (सम्पर्क सड़क सहित), जलापूर्ति तथा सीवरज, दूषित जल शोधन टेलिकॉम नेटवर्क, विद्युत उत्पादन एवं वितरण, वातानुकूलन तथा ऐसी अन्य सुविधाएं जो औद्योगिक कार्यकलाप हेतु सामान्य उपयोग के लिए हैं जो वाणिज्यिक दृष्टि से निर्धारणीय एवं प्रयुक्त हैं।

4. दिनांक 1 अप्रैल, 2002 की का. आ. 354 (अ) के पैराग्राफ 6 के उप पैराग्राफ (ख) में निर्दिष्ट तालिका के कालम (2) में उल्लिखित कोई एकल इकाई किसी औद्योगिक पार्क के लिए नियत औद्योगिक क्षेत्र का 50% से अधिक हिस्सा धारित नहीं करेगी। इस प्रयोजनार्थ किसी इकाई का आशय एक या एक से अधिक राज्य अथवा केन्द्रीय कर कानून के प्रयोजन के लिए किसी अलग तथा भिन्न कम्पनी से है।

5. आवश्यक अनुमोदनों, जिनमें विदेशी निवेश संवर्धन बोर्ड अथवा भारतीय रिजर्व बैंक अथवा उस समय प्रवृत्त किसी कानून के अंतर्गत विनिर्दिष्ट किसी प्राधिकरण द्वारा विदेशी प्रत्यक्ष निवेश अथवा अनिवासी भारतीय निवेश के लिए अनुमोदन शामिल है, को प्रवृत्त नीति तथा प्रक्रियाओं के अनुसार अलग से लिया जाएगा।

6. इस अधिसूचना के पैरा 1(vii) में विनिर्दिष्ट संख्या में इकाइयों के औद्योगिक पार्क में अवस्थित होने के उपरान्त ही इस अधिनियम के अन्तर्गत कर लाभ प्राप्त हो सकते हैं।

7. मैसर्स आर. के. इन्वेस्टमेंट्स, चेन्नई उस अवधि के दौरान औद्योगिक पार्क का प्रचालन जारी रखेगा जिस अवधि में आयकर अधिनियम, 1961 की धारा 80 झ क की उप-धारा (4) के खंड (iii) के अन्तर्गत लाभ लिए जाने हैं।

8. यदि उक्त औद्योगिक पार्क के आरंभ होने में इस अधिसूचना के पैरा 1(xi) में निर्दिष्ट तिथि से एक वर्ष से ज्यादा खिलम्ब होता है तो आयकर अधिनियम, 1961 की धारा 80 झ क की उप-धारा 4 (iii) के अंतर्गत लाभ प्राप्त करने के लिए औद्योगिक पार्क योजना, 2002 के अंतर्गत नया अनुमोदन प्राप्त करना अपेक्षित होगा।

9. यह अनुमोदन अवैध रहेगा और मैसर्स आर. के. इन्वेस्टमेंट्स, चेन्नई ऐसी किसी प्रतिक्रिया की अवैधता के लिए स्वयं ही जिम्मेदार होगा, यदि

(i) आवेदन पत्र जिसके आधार पर केन्द्र सरकार द्वारा अनुमोदन प्रदान किया गया है, में गलत सूचना/सूचना अथवा कतिपय तथ्यपरक सूचना न दी गई हो।

- (ii) यह उक्त औद्योगिक पार्क की अवस्थिति हेतु है जिसके लिए अनुमोदन किसी अन्य उपक्रम के नाम में पहले ही प्रदान किया गया है।
10. मैसर्स आर. के. इन्वेस्टमेंट्स, चेन्नई यदि (अर्थात् अन्तरणकर्ता उपक्रम) औद्योगिक पार्क का प्रचालन और अनुरक्षण किसी दूसरे उपक्रम (अर्थात् अन्तरिती उपक्रम) को हस्तांतरित करेगा तो अन्तरणकर्ता और अन्तरिती उपर्युक्त हस्तांतरण के लिए अन्तरणकर्ता और अन्तरिती उपक्रम के बीच निष्पादित करार की प्रति के साथ औद्योगिक सहायता सचिवालय, औद्योगिक नीति और संवर्धन विभाग, उद्योग भवन, नई दिल्ली-11 की उद्यमशीलता सहायता यूनिट संयुक्त रूप से सूचित करेंगे।
11. इस अधिसूचना में उल्लिखित शर्तों के साथ-साथ औद्योगिक पार्क स्कीम, 2002 में शामिल उन शर्तों का अनुपालन उस अवधि के दौरान किया जाना चाहिए जिसके लिए इस स्कीम के अंतर्गत लाभ प्राप्त किए जाने हैं। केन्द्र सरकार उपर्युक्त अनुमोदन को वापस ले सकती है मैसर्स आर. के. इन्वेस्टमेंट्स, चेन्नई औद्योगिक पार्क स्कीम, 2002 में विहित शर्तों अथवा इस अधिसूचना की किसी भी शर्त के अनुपाल में असफल रहता है।
12. केन्द्र सरकार के अनुमोदन के बिना प्रोजेक्ट प्लान में किया गया कोई भी संशोधन अथवा भविष्य में पता लगना अथवा किसी ठोस तथ्य का उद्घाटन करने में आवेदक का असफल रहना, औद्योगिक पार्क के अनुमोदन को अवैध बना देना।
- [अधिसूचना सं. 256/2006/फा.सं. 178/61/2005-आ.क.नि.-1]

दीपक गर्ग, अवर सचिव

New Delhi, the 12th September, 2006

(INCOME-TAX)

S.O. 3769.—Whereas the Central Government in exercise of the powers conferred by clause (iii) of sub-section (4) of Section 80-IA of the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the said Act), has framed and notified a scheme for industrial park, by the notifications of the Government of India in the Ministry of Commerce and Industry (Department of Industrial Policy and Promotion) vide number S.O.193(E), dated the 30th March, 1999, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2002 and vide number S.O. 354(E) dated the 1st day of April, 2002, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2006;

And, whereas M/s. R. K. Investments, No. 28 (Old No. 21), De-Monte Colony, Aiwarpet, Chennai-600 018, is developing an Industrial Park, at No. 184-187, Anna Salai, Little Mount, Chennai-600 015;

And whereas the Central Government has approved the said Industrial Park. vide Ministry of Commerce and

Industry letter No. 15/66/2005-IP&ID dated 26-7-2006 subject to the terms and conditions mentioned in the annexure to this notification;

Now, therefore, in exercise of the powers conferred by clause (iii) of sub-section (4) of Section 80-IA of the said Act, the Central Government hereby notifies the undertaking being developed and being maintained and operated by M/s. R.K. Investments, Chennai, as an industrial park for the purposes of the said clause (iii).

ANNEXURE

The terms and conditions on which the approval of the Government of India has been accorded for setting up of an industrial park by M/s. R.K. Investments, Chennai.

1. (i) Name of the Industrial

Undertaking, : R.K. Investments

(ii) Proposed location : No. 184-187, Anna Salai, Little Mount, Chennai-600 015.

(iii) Area of Industrial Park : 35,956.04 Square Meters

(iv) Proposed activities**Nature of Industrial activity with NIC Code**

Sl.No.	NIC Code				Description
	Section	Division	Group	Class	
A	7	75	-	-	Communication Services
B	8	89	892	-	Date processing, software development and computer consultancy services
C	8	89	893	-	Business and management consultancy activities
D	8	89	894	-	Architectural and engineering and other technical consultancy activities :

(v) Percentage of allocable area earmarked for industrial use : 90.01 %

(vi) Percentage of allocable area earmarked for commercial use : 09.99%

(vii) Minimum number of industrial units : 8 Units

- (viii) Total investments proposed (Amount in Rupees) : 32.00 Crore
- (ix) Investment on built up space for Industrial use (Amount in Rupees). : 19.50 Crore
- (x) Investment on Infrastructure Development including investment on built up space for industrial use (Amount in Rupees) : 30.00 Crore
- (xi) Proposed date of commencement of the Industrial Park : December, 2005
2. The minimum investment on infrastructure development in an Industrial Park shall not be less than 50% of the total project cost. In the case of an Industrial Park which provides built-up space for industrial use, the minimum expenditure on infrastructure development including cost of construction of industrial space, shall not be less than 60% of the total project cost.
3. Infrastructure development shall include, roads (including approach roads), water supply and sewerage, common effluent treatment facility, telecomnetwork, generation and distribution of power, air-conditioning and such other facilities as are for common use for industrial activity which are identifiable and are provided on commercial terms.
4. No single unit referred to in column (2) of the Table given in sub-paragraph (b). of paragraph 6 of S.O. 354(E) dated the 1st April, 2002, shall occupy more than fifty percent of the allocable industrial area of an Industrial Park. For this purpose a unit means any separate and distinct entity for the purpose of one and more state or Central tax laws.
5. Necessary approvals, including that for foreign direct investment or non-resident Indian investment by the Foreign Investment Promotion Board or Reserve Bank of India or any authority specified under any law for the time being in force, shall be taken separately as per the policy and procedures in force.
6. The tax benefits under the Act can be availed of only after the number of units indicated in Para I (vii) of this Notification, are located in the Industrial Park.
7. M/s. R.K. Investments, Chennai, shall continue to operate the Industrial Park during the period in which the benefits under clause (iii) of sub-section (4) of Section 80IA of the Income-tax Act, 1961 are to be availed.
8. In case the commencement of the Industrial Park is delayed by more than one year from the date indicated in Para I (xi) of this notification, fresh approval

will be required under the Industrial Park Scheme, 2002, for availing benefits under sub-section 4(iii) of Section 80IA of the Income Tax Act, 1961.

9. The approval will be invalid and M/s. R.K. Investments, Chennai, shall be solely responsible for any repercussions of such invalidity, if
- the application on the basis of which the approval is accorded by the Central Government contains wrong information/misinformation or some material information has not been provided in it.
 - it is for the location of the industrial park for which approval has already been accorded in the name of another undertaking.
10. In case M/s. R.K. Investments, Chennai, transfers the operation and maintenance of the industrial park (i.e., transferor undertaking) to another undertaking (i.e. the transferee undertaking), the transferor and transferee shall jointly intimate to the Entrepreneurial Assistance Unit of the Secretariat for Industrial Assistance, Department of Industrial Policy and Promotion, Udyog Bhawan, New Delhi-11 along with a copy of the agreement executed between the transferor and transferee undertaking for the aforesaid transfer.
11. The conditions mentioned in this notification as well as those included in the Industrial Park Scheme, 2002 should be adhered to during the period for which benefits under this scheme are to be availed. The Central Government may withdraw the above approval in case M/s. R.K. Investments, Chennai, fails to comply with any of the conditions.
12. Any amendment of the project plan without the approval of the Central Government or detection in future, or failure on the part of the applicant to disclose any material fact, will invalidate the approval of the industrial park.

[Notification No. 256/2006/F.No. 178/61/2005-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 12 सितम्बर, 2006

(आयकर)

का.आ. 3770.—जबकि आयकर अधिनियम, 1961 (1961 का 43) (यहां आगे उक्त अधिनियम कहा गया है) की धारा 80 झ क की उपधारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार ने 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2002 को समाप्त होने वाली अवधि के लिये संख्या का. आ. 193 (अ) दिनांक 30 मार्च, 1999 के जरिए तथा 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2006 को समाप्त अवधि के लिए संख्या का.आ. 354 (अ) के जरिए भारत सरकार, वाणिज्य और

उद्योग मंत्रालय (औद्योगिक नीति और संवर्धन विभाग) की अधिसूचनाओं द्वारा औद्योगिक पार्क की योजना निमित और अधिसूचित की है ;

और जबकि मैसर्स एल एण्ड टी इन्फोसिटी-एस्केन्डास लि. जिसका पंजीकृत कार्यालय भूतल, यूनिट 3, ब्लॉक 1, साइबर पार्क, हाइटैक सिटी, माधापुर हैदराबाद-500081 में है, प्लॉट सं. 9, हाइटैक सिटी, माधापुर ग्राम, सीरिलिंगम पल्ली म्युनिसिपैलिटी, रंगा रेड्डी जिला हैदराबाद, आन्ध्र प्रदेश-500081 में एक औद्योगिक पार्क का विकास कर रहा है ;

और जबकि केन्द्र सरकार ने इस अधिसूचना के अनुबंध में उल्लिखित नियम और शर्तों के अधीन वाणिज्य तथा उद्योग मंत्रालय के दिनांक 31-12-2004 के पत्र सं. 15/16/04; आई पी एंड आई डी के अन्तर्गत उक्त औद्योगिक पार्क अनुमोदित किया है ;

इसलिए, अब, उक्त अधिनियम की धारा 80 झ क की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उक्त खंड (iii) के प्रयोजनार्थ औद्योगिक पार्क के रूप में मैसर्स एल एण्ड टी इन्फोसिटी-एस्केन्डास लि. हैदराबाद द्वारा विकसित तथा अनुरक्षित एवं प्रचालित किए जा रहे उक्त उपक्रम को अधिसूचित करती है ।

अनुबंध

नियम एवं शर्तें जिन पर भारत सरकार ने मैसर्स एल एण्ड टी इन्फोसिटी-एस्केन्डास लि. हैदराबाद द्वारा औद्योगिक पार्क की गठित किए जाने हेतु अनुमोदन प्रदान किया है ।

1. (i) औद्योगिक उपक्रम का नाम : एल एण्ड टी इन्फोसिटी-एस्केन्डास लि.

(ii) प्रस्तावित स्थान : प्लॉट सं. 9, हाइटैक सिटी, माधापुर ग्राम सीरिलिंगम पल्ली म्युनिसिपैलिटी, रंगा रेड्डी जिला, हैदराबाद, आन्ध्र प्रदेश-500 081

(iii) औद्योगिक पार्क का क्षेत्रफल: 6.05 एकड़

(iv) प्रस्तावित कार्यकलाप

एन आई सी संहिता के साथ औद्योगिक कार्यकलाप का स्वरूप				
क्र.सं.	एन आई सी संहिता			विवरण
	अनुभाग	प्रभाग	समूह	श्रेणी
क	8	89	892	—
				डाटा प्रोसेसिंग सॉफ्टवेयर विकास तथा कंप्यूटर कंसल्टेंसी सेवाएं
ख	8	89	894	—
				वास्तुशिल्पीय तथा इंजीनियरी एवं अन्य तकनीकी कंसल्टेंसी कार्यकलाप
ख	8	89	895	—
				तकनीकी परीक्षण एवं विश्लेषण सेवाएं

(v) औद्योगिक उपयोग के लिए प्रस्तावित : 90%
आबंटनीय क्षेत्र का प्रतिशत

(vi) वाणिज्यिक उपयोग के लिए निर्धारित : 10%
भूमि का प्रतिशत

(vii) औद्योगिक यूनिटों की न्यूनतम संख्या : 20 यूनिटें

(viii) प्रस्तावित कुल निवेश (राशि रुपए में) : 125.16 करोड़

(ix) औद्योगिक उपयोग के लिए निमित : 54.90 करोड़
स्थान पर निवेश (राशि रुपए में)

(x) अवसंरचनात्मक विकास पर निवेश : 99.38 करोड़
जिसमें औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश भी शामिल है (राशि रुपए में)

(xi) औद्योगिक पार्क के आरंभ होने की : चरण 1क-1
प्रस्तावित तिथि अगस्त, 2004

चरण 1ख-

1 सितम्बर, 2005

2. किसी औद्योगिक पार्क में अवसंरचना विकास पर न्यूनतम निवेश कुल परियोजना लागत के 50% से कम नहीं होगा । ऐसे औद्योगिक पार्क जो औद्योगिक उपयोग के लिए निर्मित स्थल प्रदान करता है, के मामले में औद्योगिक स्थल के निर्माण कार्य की लागत सहित विकास अवसंरचना पर न्यूनतम खर्च कुल परियोजना लागत से 60% के कम नहीं होगा ।

3. संरचना विकास में सड़क (सम्पर्क सड़क सहित), जलापूर्ति तथा सीवरेंज, दूषित जल शोधन सुविधा टेलिकॉम नेटवर्क, विद्युत उत्पादन एवं वितरण, वातानुकूलन तथा ऐसी अन्य सुविधाएं जो औद्योगिक कार्यकलाप हेतु सामान्य उपयोग के लिए हैं जो वाणिज्यिक दृष्टि से निर्धारणीय एवं प्रयुक्त हैं ।

4. दिनांक 1 अप्रैल, 2002 की का. आ. 354 (अ) के पैराग्राफ 6 के उप पैराग्राफ (ख) में निदिष्ट तालिका के कालम (2) में उल्लिखित कोई एकल इकाई किसी औद्योगिक पार्क के लिए नियत औद्योगिक क्षेत्र का 50% से अधिक हिस्सा धारित नहीं करेगी । इस प्रयोजनार्थ किसी इकाई का आशय एक या एक से अधिक राज्य अथवा केन्द्रीय कर कानून के प्रयोजन के लिए किसी अलग तथा भिन्न कम्पनी से है ।

5. आवश्यक अनुमोदनों, जिनमें विदेशी निवेश संवर्धन बोर्ड अथवा भारतीय रिजर्व बैंक अथवा उस समय प्रवृत्त किसी कानून के अंतर्गत विनिर्दिष्ट किसी प्राधिकरण द्वारा विदेशी प्रत्यक्ष निवेश अथवा अनिवासी भारतीय निवेश के लिए अनुमोदन शामिल है, जो प्रवृत्त नीति तथा प्रक्रियाओं के अनुसार अलग से लिया जाएगा ।

6. इस अधिसूचना के पैरा 1 (vii) में विनिर्दिष्ट संख्या में इकाइयों के औद्योगिक पार्क में अवस्थित होने के उपरान्त ही इस अधिनियम के अन्तर्गत कर लाभ प्राप्त हो सकते हैं।
7. मैसर्स एल एण्ड टी इन्फोसिटी-एस्केन्डास लि. हैदराबाद उस अवधि के दौरान औद्योगिक पार्क का प्रचालन जारी रखेगा जिस अवधि में आयकर अधिनियम, 1961 की धारा 80 झ क की उपधारा (4) के खंड (iii) के अन्तर्गत लाभ लिए जाने हैं।
8. यदि उक्त औद्योगिक पार्क के आरंभ होने में इस अधिसूचना के पैरा 1 (xi) में निर्दिष्ट तिथि से एक वर्ष से ज्यादा विलम्ब होता है तो आयकर अधिनियम, 1961 की धारा 80 झ क की उप धारा 4 (iii) के अंतर्गत लाभ प्राप्त करने के लिए औद्योगिक पार्क योजना, 2002 के अंतर्गत नया अनुमोदन प्राप्त करना अपेक्षित होगा।
9. यह अनुमोदन अवैध रहेगा और मैसर्स एल एण्ड टी इन्फोसिटी-एस्केन्डास लि. हैदराबाद ऐसी किसी प्रतिक्रिया की अवैधता के लिए स्वयं ही जिम्मेदार होगा, यदि
 - (i) आवेदन पत्र जिसके आधार पर केन्द्र सरकार द्वारा अनुमोदन प्रदान किया गया है, में गलत सूचना/सूचना अथवा कतिपय तथ्यपरक सूचना न दी गई हो।
 - (ii) यह उक्त औद्योगिक पार्क की अवस्थिति हेतु है जिसके लिए अनुमोदन किसी अन्य उपक्रम के नाम में पहले ही प्रदान किया गया है।
10. यदि मैसर्स एल एण्ड टी इन्फोसिटी-एस्केन्डास लि., हैदराबाद (अर्थात् अन्तरणकर्ता उपक्रम) औद्योगिक पार्क का प्रचालन और अनुरक्षण किसी दूसरे उपक्रम (अर्थात् अंतरिती उपक्रम) को हस्तांतरित करेगा तो अंतरणकर्ता और अंतरिती उपर्युक्त हस्तांतरण के लिए अंतरणकर्ता और अंतरिती उपक्रम के बीच निष्पादित करार की प्रति के साथ औद्योगिक सहायता सचिवालय, औद्योगिक नीति और संवर्धन विभाग, उद्योग भवन, नई दिल्ली-11 की उद्यमशीलता सहायता यूनिट संयुक्त रूप से सूचित करेंगे।
11. इस अधिसूचना में उल्लिखित शर्तों के साथ-साथ औद्योगिक पार्क स्कीम, 2002 में शामिल उन शर्तों का अनुपालन उस अवधि के दौरान किया जाना चाहिए जिसके लिए इस स्कीम के अंतर्गत लाभ प्राप्त किए जाने हैं। केन्द्र सरकार उपर्युक्त अनुमोदन को वापस ले सकती है मैसर्स एल एण्ड टी इन्फोसिटी-एस्केन्डास लि. हैदराबाद औद्योगिक पार्क स्कीम, 2002 में विहित शर्तों अथवा इस अधिसूचना की किसी भी शर्त के अनुपालन में असफल रहता है।
12. केन्द्र सरकार के अनुमोदन के बिना प्रोजेक्ट प्लान में किया गया कोई भी संशोधन अथवा भविष्य में पता लगना अथवा किसी ठोस तथ्य का उद्घाटन करने में आवेदक का असफल रहना, औद्योगिक पार्क के अनुमोदन को अवैध बना देना।

[अधिसूचना सं. 259/2006/फा.सं. 178/31/2005-आ.क.नि.-1]

दीपक गर्ग, अवर सचिव

New Delhi, the 12th September, 2006

(INCOMETAX)

S.O. 3770.—Whereas the Central Government in exercise of the powers conferred by clause(iii) of sub-section(4) of Section 80-IA of the Income-tax Act, 1961 (43

of 1961) (hereinafter referred to as the said Act), has framed and notified a scheme for industrial park, by the notifications of the Government of India in the Ministry of Commerce and Industry (Department of Industrial Policy and Promotion) vide number S.O. 193(E), dated the 30th March, 1999, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2002 and vide number S.O. 354(E) dated the 1st day of April, 2002, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2006;

And whereas M/s. L & T Infocity-Ascendas Limited, having registered office at Ground Floor, Unit. 3, Block-1, Cyber Pearl, HITEC City, Madhopur, Hyderabad-500 081, is developing an Industrial Park at Plot No. 9, Hitec City, Madhapur Village, Serilingam Palli Municipality, Ranga Reddy District, Hyderabad, Andhra Pradesh-500 081;

And whereas the Central Government has approved the said Industrial Park vide Ministry of Commerce and Industry letter No. 15/16/04-IP &ID dated 31-12-2004 subject to the terms and conditions mentioned in the annexure to this notification;

Now, therefore, in exercise of the powers conferred by clause (iii) of sub-section (4) of Section 80-IA of the said Act, the Central Government hereby notifies the undertaking, being developed and being maintained and operated by M/s. L&T Infocity-Ascendas Limited, Hyderabad, as an industrial park for the purposes of the said clause (iii).

ANNEXURE

The terms and conditions on which the approval of the Government of India has been accorded for setting up of an industrial park by M/s. L&T Infocity-Ascendas Limited, Hyderabad.

1. (i) Name of the Industrial : L&T Infocity-Ascendas undertaking, Limited
- (ii) Proposed location : Plot No. 9, Hitec City, Madhapur Village, Serilingam Palli Municipality, Ranga Reddy District, Hyderabad, Andhra Pradesh-500 081
- (iii) Area of Industrial Park : 6.05 acres
- (iv) Proposed activities :

Nature of Industrial activity with NIC code

Sl.No.	NIC Code				Description
	Section	Division	Group	Class	
A	8	89	892	-	Data processing, software development and computer consultancy services
B	8	89	894	-	Architectural and engineering and other technical consultancy activities.
C	8	89	895	-	Technical testing and analysis services

- (v) Percentage of allocable area earmarked for Industrial use : 90%
- (vi) Percentage of allocable area earmarked for commercial use : 10%
- (vii) Minimum number of Industrial units : 20 Units
- (viii) Total investments proposed: (Amount in Rupees) : 125.16 crores
- (ix) Investment on built up space: for Industrial use (Amount in Rupees) : 54.90 crores
- (x) Investment on Infrastructure Development including investment on built up space for Industrial use (Amount in Rupees) : 99.38 crores
- (xi) Proposed date of commencement of the Industrial Park : Phase I A - 1st August, 2004
Phase I B - 1st September, 2005.
- The minimum investment on infrastructure development in an Industrial Park shall not be less than 50% of the total project cost. In the case of an Industrial Park which provides built-up space for industrial use, the minimum expenditure on infrastructure development including cost of construction of industrial space, shall not be less than 60% of the total project cost.
 - Infrastructure development shall include, roads (including approach roads), water supply and sewerage, common effluent treatment facility, telecom-network, generation and distribution of power, air-conditioning and such other facilities as are for common use for industrial activity which are identifiable and are provided on commercial terms.
 - No single unit referred to in column (2) of the Table given in sub-paragraph (b) of paragraph 6 of S.O. 354(E), dated the 1st April, 2002, shall occupy more than fifty per cent of the allocable industrial area of an Industrial Park. For this purpose a unit means any separate and distinct entity for the purpose of one and more State or Central tax laws.
 - Necessary approvals, including that for foreign direct investment or non-resident Indian investment by the Foreign Investment Promotion Board or Reserve Bank of India or any authority specified under any law for the time being in force, shall be taken separately as per the policy and procedures in force.
 - The tax benefits under the Act can be availed of only after the number of units indicated in

Para 1 (vii) of this notification, are located in the Industrial Park.

- M/s. L&T Infocity-Ascendas Limited, Hyderabad, shall continue to operate the Industrial Park during the period in which the benefits under clause (iii) of Sub-section (4) of Section 80IA of the Income-tax Act, 1961 are to be availed.
- In case the commencement of the Industrial Park is delayed by more than one year from the date indicated in Para 1(xi) of this notification, fresh approval will be required under the Industrial Park Scheme, 2002, for availing benefits under Sub-section 4(iii) of Section 80IA of the Income-tax Act, 1961.
- The approval will be invalid and M/s. L&T Infocity-Ascendas Limited, Hyderabad, shall be solely responsible for any repercussions of such invalidity, if
 - the application on the basis of which the approval is accorded by the Central Government contains wrong information/misinformation or some material information has not been provided in it.
 - it is for the location of the Industrial Park for which approval has already been accorded in the name of another undertaking.
- In case M/s. L&T Infocity-Ascendas Limited, Hyderabad, transfers the operation and maintenance of the Industrial Park (i.e., transferor undertaking) to another undertaking (i.e., the transferee undertaking), the transferor and transferee shall jointly intimate to the Entrepreneurial Assistance Unit of the Secretariat for Industrial Assistance, Department of Industrial Policy and Promotion, Udyog Bhawan, New Delhi-11 along with a copy of the agreement executed between the transferor and transferee undertaking for the aforesaid transfer.
- The conditions mentioned in this notification as well as those included in the Industrial Park Scheme, 2002 should be adhered to during the period for which benefits under this scheme are to be availed. The Central Government may withdraw the above approval in case M/s. L&T Infocity-Ascendas Limited, Hyderabad, fails to comply with any of the conditions.
- Any amendment of the project plan without the approval of the Central Government or detection in future, or failure on the part of the applicant to disclose any material fact, will invalidate the approval of the Industrial Park.

[Notification No. 259/2006/F. No. 178/31/2005-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 12 सितम्बर, 2006

(आवक)

क्र.अ. 3771.—जबकि अधिनियम, 1961 (1961 का 43) (यहां आगे उक्त अधिनियम कहा गया है) की धारा 80 झक की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार ने 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2002 को समाप्त होने वाली अवधि के लिये संख्या का. आ. 193 (अ), दिनांक 30 मार्च, 1999 के जरिए तथा 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2006 को समाप्त अवधि के लिए संख्या का. आ. 354(अ) के जरिए भारत सरकार, वाणिज्य और उद्योग मंत्रालय (औद्योगिक नीति और संवर्धन विभाग) की अधिसूचनाओं द्वारा औद्योगिक पार्क की योजना निर्मित और अधिसूचित की है;

और जबकि मैसर्स वैनसम इंडस्ट्रीज, 34, ऑन्थ रोड, भाऊ पाटिल मार्ग, बोपोडि, पुणे-411020 सर्वे सं. 41सी और 41ए 1/5, 34, ऑन्थ रोड, भाऊ पाटिल मार्ग, बोपोडि, पुणे में एक औद्योगिक पार्क का विकास कर रहा है;

और जबकि केन्द्र सरकार ने इस अधिसूचना के अनुबंध में उल्लिखित नियम और शर्तों के अधीन वाणिज्य तथा उद्योग मंत्रालय के दिनांक 11-04-2005 के पत्र सं. 15/39/04-आई पी एंड आई डी के अन्तर्गत उक्त औद्योगिक पार्क अनुमोदित किया है;

इसलिए, अब, उक्त अधिनियम की धारा 80 झक की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उक्त खंड (iii) के प्रयोजनार्थ औद्योगिक पार्क के रूप में मैसर्स वैनसम इंडस्ट्रीज, पुणे द्वारा विकसित तथा अनुरक्षित एवं प्रचालित किए जा रहे उक्त उपक्रम को अधिसूचित करती है।

अनुबंध

नियम एवं शर्तें जिन पर भारत सरकार ने मैसर्स वैनसम इंडस्ट्रीज, पुणे द्वारा औद्योगिक पार्क गठित किए जाने हेतु अनुमोदन प्रदान किया है।

1. (i) औद्योगिक उपक्रम का नाम : वैनसम इंडस्ट्रीज (पुणे आई टी पार्क)
- (ii) प्रस्तावित स्थान : सर्वे सं. 41सी और 41 ए 1/5, 34, ऑन्थ रोड, भाऊ पाटिल मार्ग, बोपोडि, पुणे
- (iii) औद्योगिक पार्क का क्षेत्रफल: 10188 वर्ग मीटर (भूमि क्षेत्र)
- (iv) प्रस्तावित कार्यकलाप :

एन आई सी संहिता के साथ औद्योगिक कार्यकलाप का स्वरूप					
क्र.सं.	एन आई सी संहिता				विवरण
	अनुभाग	प्रभाग	समूह	श्रेणी	
1	2	3	4	5	6
क	4	—	—	—	बिजली, गैस और पानी

1	2	3	4	5	6
ख	7	75	—	—	सेवाएं
ग	8	89	892	—	डाटा प्रोसेसिंग, साफ्टवेयर विकास तथा कम्प्यूटर कंसल्टेंसी सेवाएं
घ	8	89	893	—	कारोबार तथा प्रबंधन कंसल्टेंसी कार्यकलाप
ङ	8	89	894	—	वास्तुशिल्पीय तथा इंजीनियरी एवं अन्य तकनीकी कंसल्टेंसी कार्यकलाप
च	8	89	895	—	तकनीकी परीक्षण एवं विश्लेषण सेवाएं

- (v) औद्योगिक उपयोग के लिए निर्धारित आर्बटनीय क्षेत्र का प्रतिशत : 92%
- (vi) वाणिज्यिक उपयोग के लिए निर्धारित भूमि का प्रतिशत : 8%
- (vii) औद्योगिक यूनिटों की न्यूनतम संख्या : 30 यूनिटें
- (viii) प्रस्तावित कुल निवेश (राशि रुपए में) : 31.50 करोड़
- (ix) औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश (राशि रुपए में) : 20 करोड़
- (x) अवसंरचनात्मक विकास पर निवेश जिसमें औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश भी शामिल है (राशि रुपए में) : 29 करोड़
- (xi) औद्योगिक पार्क के आरंभ होने की प्रस्तावित तिथि : 31-3-2006

2. किसी औद्योगिक पार्क में अवसंरचना विकास पर न्यूनतम निवेश कुल परियोजना लागत के 50% से कम नहीं होगा। ऐसे औद्योगिक पार्क जो औद्योगिक उपयोग के लिए निर्मित स्थल प्रदान करता है, के मामले में औद्योगिक स्थल के निर्माण कार्य की लागत सहित विकास अवसंरचना पर न्यूनतम खर्च कुल परियोजना लागत के 60% से कम नहीं होगा।

3. संरचना विकास में सड़क (सम्पर्क सड़क सहित), जलापूर्ति तथा सीवरेंज, दूषित जल शोधन सुविधा, टेलिकॉम नेटवर्क, विद्युत

उत्पादन एवं वितरण, जातानुकूलन तथा ऐसी अन्य सुविधाएँ जो औद्योगिक कार्यकलाप हेतु सामान्य उपयोग के लिए हैं जो वाणिज्यिक दृष्टि से निर्धारणीय एवं प्रयुक्त हैं।

4. विभाग 1 अप्रैल, 2002 की का. आ. 354 (अ) के पैराग्राफ 6 के उप पैराग्राफ (ख) में निर्दिष्ट तालिका के कालम (2) में उल्लिखित कोई एकल इकाई किसी औद्योगिक पार्क के लिए निम्न औद्योगिक क्षेत्र का 50% से अधिक हिस्सा धारित नहीं करेगी। इस प्रयोजनार्थ किसी इकाई का आशय एक या एक से अधिक राज्य अथवा केन्द्रीय कर कानून के प्रयोजन के लिए किसी अलग तथा भिन्न कम्पनी से है।

5. आवश्यक अनुमोदनों जिनमें विदेशी निवेश संवर्धन बोर्ड अथवा भारतीय रिजर्व बैंक अथवा उस समय प्रवृत्त किसी कानून के अंतर्गत विनिर्दिष्ट किसी प्राधिकरण द्वारा विदेशी प्रत्यक्ष निवेश अथवा अनिवासी भारतीय निवेश के लिए अनुमोदन शामिल है, को प्रवृत्त नीति तथा प्रक्रियाओं के अनुसार अलग से लिया जाएगा।

6. इस अधिसूचना के पैरा 1(vii) में विनिर्दिष्ट संख्या में इकाइयों के औद्योगिक पार्क में अवस्थित होने के उपरान्त ही इस अधिनियम के अंतर्गत लाभ प्राप्त हो सकते हैं।

7. मैसर्स वैनसम इंडस्ट्रीज, पुणे उस अवधि के दौरान औद्योगिक पार्क का प्रचालन जारी रखेगा जिस अवधि में आयकर अधिनियम, 1961 की धारा 80 झ क की उप-धारा (4) के खंड (iii) के अंतर्गत लाभ लिए जाने हैं।

8. यदि उक्त औद्योगिक पार्क के आरंभ होने में इस अधिसूचना के पैरा 1 (xi) में निर्दिष्ट तिथि से एक वर्ष से ज्यादा विलम्ब होता है तो आयकर अधिनियम, 1961 की धारा 80 झ क की उपधारा 4 (iii) के अंतर्गत लाभ प्राप्त करने के लिए औद्योगिक पार्क योजना, 2002 के अंतर्गत नया अनुमोदन प्राप्त करना अपेक्षित होगा।

9. यह अनुमोदन अवैध रहेगा और मैसर्स वैनसम इंडस्ट्रीज, पुणे ऐसी किसी प्रतिक्रिया की अवैधता के लिए स्वयं ही जिम्मेदार होगा, यदि

- (i) आवेदन पत्र जिसके आधार पर केन्द्र सरकार द्वारा अनुमोदन प्रदान किया गया है, में गलत सूचना/सूचना अथवा कतिपय तथ्यपरक सूचना न दी गई हो।
- (ii) यह उक्त औद्योगिक पार्क की अवस्थिति हेतु है जिसके लिए अनुमोदन किसी अन्य उपक्रम के नाम में पहले ही प्रदान किया गया है।

10. यदि मैसर्स वैनसम इंडस्ट्रीज, पुणे (अर्थात् अन्तरणकर्ता उपक्रम) औद्योगिक पार्क का प्रचालन और अनुरक्षण किसी दूसरे उपक्रम (अर्थात् अंतर्गती उपक्रम) को हस्तांतरित करेगा तो अंतरणकर्ता और अंतर्गती उपयुक्त हस्तांतरण के लिए अंतरणकर्ता और अंतर्गती उपक्रम के बीच निष्पादित करार की प्रति के साथ औद्योगिक सहायता

सचिवालय, औद्योगिक नीति और संवर्धन विभाग, उद्योग भवन, नई दिल्ली-11 की उद्यमशीलता सहायता यूनिट संयुक्त रूप से सूचित करेंगे।

11. इस अधिसूचना में उल्लिखित शर्तों के साथ-साथ औद्योगिक पार्क स्कीम, 2002 में शामिल उन शर्तों का अनुपालन उस अवधि के दौरान किया जाना चाहिए जिसके लिए इस स्कीम के अंतर्गत लाभ प्राप्त किए जाने हैं। केन्द्र सरकार उपर्युक्त अनुमोदन को वापस ले सकती है मैसर्स वैनसम इंडस्ट्रीज, पुणे, औद्योगिक पार्क स्कीम, 2002 में विहित शर्तों अथवा इस अधिसूचना की किसी भी शर्त के अनुपालन में असफल रहता है।

12. केन्द्र सरकार के अनुमोदन के बिना प्रोजेक्ट प्लान में किया गया कोई भी संशोधन अथवा भविष्य में पता लगना अथवा किसी ठोस तथ्य को उद्घाटन करने में आवेदक का असफल रहना, औद्योगिक पार्क के अनुमोदन को अवैध बना देगा।

[अधिसूचना सं 257/2006/फा.सं. 178/60/2005-आ.क.नि-1]

दीपक गर्ग, अवर सचिव

New Delhi, the 12th September, 2006

(INCOME-TAX)

S.O. 3771.—Whereas the Central Government in exercise of the powers conferred by clause (iii) of Sub-section (4) Section 80-IA of the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the said Act), has framed and notified a scheme for Industrial Park, by the notifications of the Government of India in the Ministry of Commerce and Industry (Department of Industrial Policy and Promotion) vide number S.O. 193(E), dated the 30th March, 1999, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2002 and vide number S.O. 354 (E) dated the 1st day of April, 2002 for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2006;

And whereas M/s. Vansum Industries, 34, Aundh Road, Bhau Patil Marg, Bopodi, Pune-411020, is developing an Industrial Park at S. No. 41C & 41A 1/5, 34, Aundh Road, Bhau Patil Marg, Bopodi, Pune;

And whereas the Central Government has approved the said Industrial Park vide Ministry of Commerce and Industry letter No. 15/39/04-IP& ID dated 11-4-2005 subject to the terms and conditions mentioned in the annexure to this notification;

Now, therefore, in exercise of the powers conferred by clause (iii) of sub-section (4) of Section 80-IA of the said Act, the Central Government hereby notifies the undertaking being developed and being maintained and operated by M/s. Vansum Industries, Pune, as an Industrial Park for the purposes of the said clause (iii).

ANNEXURE

The terms and conditions on which the approval of the Government of India has been accorded for setting up of an Industrial Park by M/s. Vansum Industries, Pune.

1. (i) Name of the Industrial undertaking : Vansum Industries (Pune IT Park)
- (ii) Proposed location : S. Nos. 41C & 41A 1/5, 34 Aundh Road, Bhau Patil Marg, Bopodi, Pune.
- (iii) Area of Industrial Park : 10,188 Square Metres (Land Area)
- (iv) Proposed activities :

Nature of Industrial activity with NIC Code

Sl.No.	NIC Code				Description
	Section	Division	Group	Class	
A	4	—	—	—	Electricity, Gas & Water
B	7	75	—	—	Communication services
C	8	89	892	—	Data Processing Software Development and Computer consultancy services
D	8	89	893	—	Business and management consultancy activities
E	8	89	894	—	Architectural and engineering and other technical consultancy activities
F	8	89	895	—	Technical testing and analysis services

(v) Percentage of allocable area earmarked for industrial use : 92%

(vi) Percentage of allocable area earmarked for commercial use : 8%

(vii) Minimum number of industrial units : 30 Units

(viii) Total investments proposed : 31.50 crores
(Amount in Rupees)

(ix) Investment on built-up space for Industrial use (Amount in Rupees) : 20 crores

(x) Investment on Infrastructure Development : 29 crores including investment on built up space for industrial use (Amount in Rupees)

(xi) Proposed date of commencement of the Industrial Park : 31-3-2006

2. The minimum investment on infrastructure development in an Industrial Park shall not be less than 50% of the total project cost. In the case of an Industrial Park which provides built-up space for industrial use, the minimum expenditure on infrastructure development including cost of construction of industrial space, shall not be less than 60% of the total project cost.

3. Infrastructure development shall include, roads (including approach roads), water supply and sewerage, common effluent treatment facility, telecom network, generation and distribution of power, air-conditioning and such other facilities as are for common use for industrial activity which are identifiable and are provided on commercial terms.

4. No single unit referred to in column (2) of the Table given in sub-paragraph (b) of paragraph 6 of S.O. 354(E) dated the 1st April, 2002, shall occupy more than fifty per cent of the allocable industrial area of an Industrial Park. For this purpose a unit means any separate and distinct entity for the purpose of one and more State or Central tax laws.

5. Necessary approvals, including that for foreign direct investment or non-resident Indian investment by the Foreign Investment Promotion Board or Reserve Bank of India or any authority specified under any law for the time being in force, shall be taken separately as per the policy and procedures in force.

6. The tax benefits under the Act can be availed of only after the number of units indicated in Para 1 (vii) of this Notification, are located in the Industrial Park.

7. M/s. Vansum Industries, Pune, shall continue to operate the Industrial Park during the period in which the benefits under clause (iii) of Sub-section (4) of Section 80-IA of the Income-tax Act, 1961 are to be availed.

8. In case the commencement of the Industrial Park is delayed by more than one year from the date indicated

in Para 1 (xi) of this notification, fresh approval will be required under the Industrial Park Scheme, 2002, for availing benefits under sub-section 4(iii) of Section 80IA of the Income Tax Act, 1961.

9. The approval will be invalid and M/s. Vansum Industries, Pune, shall be solely responsible for any repercussions of such invalidity, if :

- (i) the application on the basis of which the approval is accorded by the Central Government contains wrong information/misinformation or some material information has not been provided in it.
- (ii) it is for the location of the industrial park for which approval has already been accorded in the name of another undertaking.

10. In case M/s. Vansum Industries, Pune, transfer the operation and maintenance of the industrial park (i.e., transferor undertaking) to another undertaking (i.e., the transferee undertaking), the transferor and transferee shall jointly intimate to the Entrepreneurial Assistance Unit of the Secretariat for Industrial Assistance, Department of Industrial Policy and Promotion, Udyog Bhawan, New Delhi-11 along with a copy of the agreement executed between the transferor and transferee undertaking for the aforesaid transfer.

11. The conditions mentioned in this notification as well as those included in the Industrial Park Scheme, 2002 should be adhered to during the period for which benefits under this scheme are to be availed. The Central Government may withdraw the above approval in case M/s. Vansum Industries, Pune, fails to comply with any of the conditions.

12. Any amendment of the project plan without the approval of the Central Government or detection in future, or failure on the part of the applicant to disclose any material fact, will invalidate the approval of the industrial park.

[Notification No. 257/2006/F. No. 178/60/2005-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 12 सितम्बर, 2006

(अवकाश)

का. अ. 3772.—जबकि अवकाश अधिनियम, 1961 (1961 का 43) (यहां आगे उक्त अधिनियम कहा गया है) की धारा 80एक की उपधारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार ने 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2002 को समाप्त होने वाली अवधि के लिये संख्या का. अ. 193 (अ) दिनांक 30 मार्च, 1999 के जरिए तथा 1 अप्रैल, 1997 से शुरू होकर तथा 31 मार्च, 2006 को समाप्त अवधि के लिए संख्या का. अ. 354 (अ) के जरिए भारत सरकार, वाणिज्य और उद्योग मंत्रालय

(औद्योगिक नीति और संवर्धन विभाग) की अधिसूचनाओं द्वारा औद्योगिक पार्क की योजना निर्मित और अधिसूचित की है;

और, जबकि, मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एण्ड इन्वेस्टमेंट कार्पोरेशन लिमिटेड जिसका पंजीकृत कार्यालय उद्योग भवन, तिलक मार्ग, जयपुर-302005 में है, औद्योगिक क्षेत्र चंदेरिया (विस्तार), जिला चित्तौड़गढ़, राजस्थान में एक औद्योगिक पार्क का विकास कर रहा है;

और, जबकि, केन्द्र सरकार ने, इस अधिसूचना के अनुबंध में उल्लिखित नियम और शर्तों के अधीन वाणिज्य तथा उद्योग मंत्रालय के दिनांक 8-12-2005 के पत्र सं. 15/136/05-आई पी एंड आई डी के अन्तर्गत उक्त औद्योगिक पार्क अनुमोदित किया है;

इसलिए, अब, उक्त अधिनियम की धारा 80एक की उप-धारा (4) के खंड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा उक्त खंड (iii) के प्रयोजनार्थ औद्योगिक पार्क के रूप में मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एण्ड इन्वेस्टमेंट कार्पोरेशन लिमिटेड, जयपुर-302005 द्वारा विकसित तथा अनुरक्षित एवं प्रचालित किए जा रहे उक्त उपक्रम को अधिसूचित करती है।

अनुबंध

नियम एवं शर्तें जिन पर भारत सरकार ने मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एण्ड इन्वेस्टमेंट कार्पोरेशन लिमिटेड, जयपुर द्वारा औद्योगिक पार्क गठित किए जाने हेतु अनुमोदन प्रदान किया है।

- 1.(i) औद्योगिक उपक्रम का नाम : राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एण्ड इन्वेस्टमेंट कार्पोरेशन लिमिटेड
जयपुर-302005
- (ii) प्रस्तावित स्थान : औद्योगिक क्षेत्र चंदेरिया
(विस्तार), जिला
चित्तौड़गढ़, राजस्थान
- (iii) औद्योगिक पार्क का क्षेत्रफल: 20.27 एकड़
- (iv) प्रस्तावित कार्यकलाप :

एन आई सी संहिता के साथ औद्योगिक कार्यकलाप का स्वरूप			
		एन आई सी संहिता	विवरण
क.सं.अनुभाग	प्रभाग	समूह	श्रेणी
क 2 और 3	--	--	विनिर्माण कार्यकलाप

- (v) औद्योगिक उपयोग के लिए
प्रस्तावित आर्बटनीम : 100%
क्षेत्र का प्रतिशत
- (vi) वाणिज्यिक उपयोग के लिए
निर्धारित भूमि का प्रतिशत : शून्य

- (vii) औद्योगिक यूनिटों की प्रस्तावित संख्या : 30 यूनिटें
 (viii) प्रस्तावित कुल निवेश (राशि रूप में) : 146.98 लाख
 (ix) औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश : शून्य
 (राशि रूप में)
 (x) अवसंरचनात्मक विकास पर निवेश : 116.94 लाख
 जिसमें औद्योगिक उपयोग के लिए निर्मित स्थान पर निवेश भी शामिल है (राशि रूप में)
 (xi) औद्योगिक पार्क के आरंभ होने की : 31-3-2006
 प्रस्तावित तिथि

2. किसी औद्योगिक पार्क में अवसंरचना विकास पर न्यूनतम निवेश कुल परियोजना लागत के 50% से कम नहीं होगा। ऐसे औद्योगिक पार्क जो औद्योगिक उपयोग के लिए निर्मित स्थल प्रदान करता है, के मामले में औद्योगिक स्थल के निर्माण कार्य की लागत सहित विकास अवसंरचना पर न्यूनतम खर्च कुल परियोजना लागत के 60% से कम नहीं होगा।

3. संरचना विकास में सड़क (सम्पर्क सड़क सहित), जलापूर्ति तथा सीवरेंज, दूषित जल शोधन सुविधा, टेलिकॉम नेटवर्क, विद्युत उत्पादन एवं वितरण, वातानुकूलन तथा ऐसी अन्य सुविधाएं जो औद्योगिक कार्यकलाप हेतु सामान्य उपयोग के लिए हैं जो वाणिज्यिक दृष्टि से निर्धारणीय एवं प्रयुक्त हैं।

4. दिनांक 1 अप्रैल, 2002 की का. आ. 354 (अ) के पैराग्राफ 6 के उप पैराग्राफ (ख) में निर्दिष्ट तालिका के कालम (2) में उल्लिखित कोई एकल इकाई किसी औद्योगिक पार्क के लिए नियत औद्योगिक क्षेत्र का 50% से अधिक हिस्सा धारित नहीं करेगी। इस प्रयोजनार्थ किसी इकाई का आशय एक या एक से अधिक राज्य अथवा केन्द्रीय कर कानून के प्रयोजन के लिए किसी अलग तथा भिन्न कम्पनी से है।

5. आवश्यक अनुमोदनों, जिनमें विदेशी निवेश संवर्धन बोर्ड अथवा भारतीय रिजर्व बैंक अथवा उस समय प्रवृत्त किसी कानून के अंतर्गत विनिर्दिष्ट किसी प्राधिकरण द्वारा विदेशी प्रत्यक्ष निवेश अथवा अनिवासी भारतीय निवेश के लिए अनुमोदन शामिल है, को प्रवृत्त नीति तथा प्रक्रियाओं के अनुसार अलग से लिया जाएगा।

6. इस अधिसूचना के पैरा 1(vii) में विनिर्दिष्ट संख्या में इकाइयों के औद्योगिक पार्क में अवस्थित होने के उपरान्त ही इस अधिनियम के अंतर्गत कर लाभ प्राप्त हो सकते हैं।

7. मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एण्ड इन्वेस्टमेंट कार्पोरेशन लिमिटेड जयपुर उस अवधि के दौरान औद्योगिक पार्क का प्रचालन जारी रखेगा जिस अवधि में आयकर अधिनियम, 1961 की धारा 80-झक की उपधारा (4) के खंड (iii) के अंतर्गत लाभ लिए जाने हैं।

8. यदि उक्त औद्योगिक पार्क के आरंभ होने में इस अधिसूचना के पैरा 1 (xi) में निर्दिष्ट तिथि से एक वर्ष से ज्यादा विलम्ब

होता है तो आयकर अधिनियम, 1961 की धारा 80-झक की उपधारा 4 (iii) के अंतर्गत लाभ प्राप्त करने के लिए औद्योगिक पार्क योजना, 2002 के अंतर्गत नया अनुमोदन प्राप्त करना अपेक्षित होगा।

9. यह अनुमोदन अवैध रहेगा और मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एण्ड इन्वेस्टमेंट कार्पोरेशन लिमिटेड जयपुर-302005 ऐसी किसी प्रतिक्रिया की अवैधता के लिए स्वयं ही जिम्मेदार होगा, यदि :

- आवेदन पत्र जिसके आधार पर केन्द्र सरकार द्वारा अनुमोदन प्रदान किया गया है, में गलत सूचना/सूचना अथवा कतिपय तथ्यपरक सूचना न दी गई हो।
- यह उक्त औद्योगिक पार्क की अवस्थिति हेतु है जिसके लिए अनुमोदन किसी अन्य उपक्रम के नाम में पहले ही प्रदान किया गया है।

10. यदि मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एण्ड इन्वेस्टमेंट कार्पोरेशन लिमिटेड, जयपुर-302005 (अर्थात् अन्तरणकर्ता उपक्रम) औद्योगिक पार्क का प्रचालन और अनुरक्षण किसी दूसरे उपक्रम (अर्थात् अंतर्गति उपक्रम) को हस्तांतरित करेगा तो अंतरणकर्ता और अंतर्गति उपर्युक्त हस्तांतरण के लिए अंतरणकर्ता और अंतर्गति उपक्रम के बीच निष्पादित करार की प्रति के साथ औद्योगिक सहायता सचिवालय, औद्योगिक नीति और संवर्धन विभाग, उद्योग भवन, नई दिल्ली-11 की उद्यमशीलता सहायता यूनिट संयुक्त रूप से सूचित करेंगे।

11. इस अधिसूचना में उल्लिखित शर्तों के साथ-साथ औद्योगिक पार्क स्कीम, 2002 में शामिल उन शर्तों का अनुपालन उस अवधि के दौरान किया जाना चाहिए जिसके लिए इस स्कीम के अंतर्गत लाभ प्राप्त किए जाने हैं। केन्द्र सरकार उपर्युक्त अनुमोदन को वापस ले सकती है मैसर्स राजस्थान स्टेट इंडस्ट्रियल डेवलपमेंट एण्ड इन्वेस्टमेंट कार्पोरेशन लिमिटेड, जयपुर औद्योगिक पार्क स्कीम, 2002 में विहित शर्तों अथवा इस अधिसूचना की किसी भी शर्त के अनुपालन में असफल रहता है।

12. केन्द्र सरकार के अनुमोदन के बिना प्रोजेक्ट प्लान में किया गया कोई भी संशोधन अथवा भविष्य में पता लगना अथवा किसी ठोस तथ्य का उद्घाटन करने में आवेदक का असफल रहना, औद्योगिक पार्क के अनुमोदन को अवैध बना देना।

[अधिसूचना सं 258/2006/फा.सं. 178/10/2006-आ.क.नि-1]

दीपक गर्ग, अवर सचिव

New Delhi, the 12th September, 2006

(INCOME-TAX)

S.O. 3772.—Whereas, the Central Government in exercise of the powers conferred by clause (iii) of sub-section (4) of section 80-IA of the Income-tax Act, 1961

(43 of 1961) (hereinafter referred to as the said Act), has framed and notified a scheme for industrial park, by the notifications of the Government of India in the Ministry of Commerce and Industry (Department of Industrial Policy and Promotion) vide number S.O. 193(E), dated the 30th March, 1999, for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2002, and vide number S.O. 354 (E) dated the 1st day of April, 2002 for the period beginning on the 1st day of April, 1997 and ending on the 31st day of March, 2006.

And whereas M/s. Rajasthan State Industrial Development & Investment Corporation Limited, having Registered Office at Udyog Bhawan, Tilak Marg, Jaipur-302005 is developing an Industrial Park at Industrial Area Chanderia (Extn.), District Chittorgarh, Rajasthan;

And whereas the Central Government has approved the said Industrial Park vide Ministry of Commerce and Industry letter No. 15/136/05-IP& ID dated 08-12-2005 subject to the terms and conditions mentioned in the annexure to this notification;

Now, therefore, in exercise of the powers conferred by clause (iii) of sub-section (4) of Section 80-IA of the said Act, the Central Government hereby notifies the undertaking being developed and being maintained and operated by M/s. Rajasthan State Industrial Development & Investment Corporation Limited, Jaipur, as an industrial park for the purposes of the said clause (iii).

ANNEXURE

The terms and conditions on which the approval of the Government of India has been accorded for setting up of an industrial park by M/s. Rajasthan State Industrial Development & Investment Corporation Limited, Jaipur.

1. (i) Name of the Industrial : M/s. Rajasthan State Industrial Undertaking Development & Investment Corporation Limited.
- (ii) Proposed location : Industrial Area Chanderia (Extn.), District Chittorgarh, Rajasthan
- (iii) Area of Industrial Park : 20.27 acres
- (iv) Proposed activities :

Nature of Industrial activity with NIC Code

Sl.No.	NIC Code			Description
	Section	Division	Group Class	
A	2 & 3	—	—	Manufacturing activities

- (v) Percentage of allocable area earmarked for industrial use : 100%
- (vi) Percentage of allocable area earmarked for commercial use : Nil
- (vii) Minimum number of industrial units : 30 Units
- (viii) Total investments proposed (Amount in Rupees) : 146.98 lakhs
- (ix) Investment on built up space for Industrial use (Amount in Rupees) : Nil
- (x) Investment on Infrastructure : 116.94 lakhs Development including investment on built up space for industrial use (Amount in Rupees)
- (xi) Proposed date of commencement of the Industrial Park : 31-3-2006

2. The minimum investment on infrastructure development in an Industrial Park shall not be less than 50% of the total project cost. In the case of an Industrial Park which provides built-up space for industrial use, the minimum expenditure on infrastructure development including cost of construction of industrial space, shall not be less than 60% of the total project cost.

3. Infrastructure development shall include, roads (including approach roads), water supply and sewerage, common effluent treatment facility, telecom network, generation and distribution of power, air-conditioning and such other facilities as are for common use for industrial activity which are identifiable and are provided on commercial terms.

4. No single unit referred to in column (2) of the Table given in sub-paragraph (b) of paragraph 6 of S.O. 354(E) dated the 1st April, 2002, shall occupy more than fifty per cent of the allocable industrial area of an Industrial Park. For this purpose a unit means any separate and distinct entity for the purpose of one and more State or Central tax laws.

5. Necessary approvals, including that for foreign direct investment or non-resident Indian investment by the Foreign Investment Promotion Board or Reserve Bank of India or any authority specified under any law for the time being in force, shall be taken separately as per the policy and procedures in force.

6. The tax benefits under the Act can be availed of only after the number of units indicated in

Para 1 (vii) of this Notification, are located in the Industrial Park.

7. M/s. Rajasthan State Industrial Development & Investment Corporation Limited, Jaipur, shall continue to operate the Industrial Park during the period in which the benefits under clause (iii) of sub-section (4) of section 80-IA of the Income-tax Act, 1961 are to be availed.

8. In case the commencement of the Industrial Park is delayed by more than one year from the date indicated in Para 1 (xi) of this notification, fresh approval will be required under the Industrial Park Scheme, 2002, for availing benefits under sub-section 4(iii) of Section 80-IA of the Income Tax Act, 1961.

9. The approval will be invalid and M/s. Rajasthan State Industrial Development & Investment Corporation Limited, Jaipur, shall be solely responsible for any repercussions of such invalidity, if—

- (i) the application on the basis of which the approval is accorded by the Central Government contains wrong information/misinformation or some material information has not been provided in it.
- (ii) it is for the location of the industrial park for which approval has already been accorded in the name of another undertaking.

10. In case M/s. Rajasthan State Industrial Development & Investment Corporation Limited, Jaipur transfers the operation and maintenance of the Industrial park (i.e., transferor undertaking) to another undertaking (i.e., the transferee undertaking), the transferor and transferee shall jointly intimate to the Entrepreneurial Assistance Unit of the Secretariat for Industrial Assistance, Department of Industrial Policy and Promotion, Udyog Bhawan, New Delhi-11 along with a copy of the agreement executed between the transferor and transferee undertaking for the aforesaid transfer.

11. The conditions mentioned in this notification as well as those included in the Industrial Park Scheme, 2002 should be adhered to during the period for which benefits under this scheme are to be availed. The Central Government may withdraw the above approval in case M/s. Rajasthan State Industrial Development & Investment Corporation Limited, Jaipur fails to comply with any of the conditions.

12. Any amendment of the project plan without the approval of the Central Government or detection in future, or failure on the part of the applicant to disclose any material fact, will invalidate the approval of the industrial park.

[Notification No. 258/2006/F. No. 178/10/2006-ITA-I]

DEEPAK GARG, Under Secy.

नई दिल्ली, 12 सितम्बर, 2006

(आयकर)

क्र. अ. 3773.—सर्वसम्पत्तियों की जानकारी के लिए एकरा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उप-धारा (1) के खण्ड (ii) के प्रयोजनार्थ दिनांक 1-4-2005 से 31-3-2008 तक की अवधि के लिए, दि. आई रिसर्च फाउंडेशन, चेन्नई को "संघ" श्रेणी के अन्तर्गत निम्नलिखित शर्तों के अधीन अनुमोदित किया गया है :-

- (i) अनुमोदित संगठन अपने अनुसंधान कार्य-कलापों के लिए अलग खाते रखेगा।
- (ii) वित्तीय वर्षों के प्रत्येक वित्त वर्ष के लिए जिसके लिए यह अनुमोदन प्रदान किया जा रहा है, अनुमोदित संगठन अनुसंधान कार्यकलापों के संबंध में लेखा परीक्षित आय एवं व्यय खाते की एक प्रति इसके क्षेत्राधिकार वाले आयकर आयुक्त/आयकर निदेशक (छूट) को आयकर विवरणी दाखिल करने की नियत तारीख को अथवा उससे पहले अथवा इस अधिसूचना की तारीख से 90 दिनों के अन्दर, जो भी बाद में समाप्त हो, प्रस्तुत करेगा, जिसके लिए इसे आयकर अधिनियम, 1961 की धारा 35 की उप-धारा (1) के अन्तर्गत अनुमोदन प्रदान किया गया है।
- (iii) अनुमोदित संगठन उपर्युक्त पैरा (iii) में उल्लिखित आय तथा व्यय खाते के साथ लेखा परीक्षक से प्राप्त एक प्रमाणपत्र भी संलग्न करेगा:-
- (क) जिसमें संगठन द्वारा वैज्ञानिक अनुसंधान के लिए प्राप्त की गई उस संपत्ति का उल्लेख किया गया हो, जिसके लिए दानकर्ता धारा 35 की उप-धारा (1) के खण्ड (ii) के अन्तर्गत कटौती का दावा करने के लिए पात्र है।
- (ख) जिसमें यह प्रमाणित किया गया हो कि किया गया व्यय वैज्ञानिक अनुसंधान के लिए ही था।

[अधिसूचना सं. 260/2006/फा. सं. 203/5/2006-आ.क.नि.-II]

रेनु जीहरी, निदेशक [आयकर नि.-II]

New Delhi, the 12th September, 2006

(INCOME TAX)

S.O. 3773.—It is hereby notified for general information that the organization **The Eye Research Foundation, Chennai** has been approved by the Central Government for the purpose of clause (ii) of sub-section

(1) of Section 35 of the Incomes tax Act, 1961, read with Rule 6 of the Income-tax Rules, 1962 for the period from 1-4-2005 to 31-3-2008 under the category "Association" subject to the following conditions :—

- (i) The approved organization shall maintain separate accounts for its research activities.
- (ii) For each of the financial years for which this approval is being given, the approved organization shall submit a copy of its audited Income & Expenditure account in respect of the research activities for which it has been approved under sub-section (1) of Section 35 of I.T. Act, 1961 to the Commissioner of Income Tax/Director of Income Tax (Exemptions) having jurisdiction, on or before the due date of filing of return of income or within 90 days from the date of this notification, whichever expires later.
- (iii) The approved organization shall also enclose with the Income & Expenditure account referred to in paragraph (ii) above, a certificate from the auditor :—
 - (a) specifying the amount received by the organization for scientific research in respect of which the donors are eligible to claim deduction under clause (ii) of sub-section (1) of Section 35.
 - (b) certifying that the expenditure incurred was for scientific research.

[Notification No. 260/2006/ F No. 203/5/2006-ITA-II]

RENU JAUHRI, Director (ITA-II)

नई दिल्ली, 11 सितम्बर, 2006

का. आ. 3774.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में राजस्व विभाग के अधीन केन्द्रीय उत्पाद एवं सीमा शुल्क बोर्ड के निम्नलिखित क्षेत्रीय कार्यालयों को, जिनके 80 प्रतिशत कर्मचारीवृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है:—

1. आयुक्त, के. उ. शु. एवं सी. शु., मेरठ-प्रथम मंगल पांडे नगर, मेरठ-250005.
2. सहायक आयुक्त, के. उ. शु. एवं सी. शु., मेरठ-प्रथम मंगल पांडे नगर, मेरठ-250005.

3. सहायक आयुक्त, के. उ. शु. एवं सी. शु., मुजफ्फरनगर-प्रथम आवास विकास कालोनी सर्कुलर रोड मुजफ्फरनगर।
4. सहायक आयुक्त, के. उ. शु. एवं सी. शु., मुजफ्फरनगर-द्वितीय आवास विकास कालोनी सर्कुलर रोड, मुजफ्फरनगर।
5. सहायक आयुक्त, के. उ. शु. एवं सी. शु., सहारनपुर, आवास विकास कालोनी दिल्ली रोड, सहारनपुर-247001.
6. सहायक आयुक्त, के. उ. शु. एवं सी. शु., ई-ब्लाक, नेहरू कोलोनी, हरिद्वार रोड, देहरादून-248001.

[फा. सं. 11013(01)/2005-हिन्दी-2]

मधु शर्मा, निदेशक (रा.भा.)

New Delhi, the 11th September, 2006

S.O. 3774.—In pursuance of sub-rule (4) of rule 10 of the Official Language (Use for Official Purposes of the Union) Rules, 1976 the Central Government hereby notifies the following offices under the Board of Central Excise & Customs, Department of Revenue the 80% staff whereof have acquired the working knowledge of Hindi.

1. Commissioner, Central Excise & Customs, Meerut-I Mangal Pandey Nagar, Meerut-250005.
2. Asstt. Commissioner, Central Excise & Customs, Meerut-I, Mangal Pandey Nagar, Meerut-250005
3. Asstt. Commissioner, Central Excise & Customs Division, Muzaffar Nagar-I Awas Vikas Colony, Circular Road, Muzaffarnagar.
4. Asstt. Commissioner, Central Excise & Customs Division, Muzaffar Nagar-II Awas Vikas Colony, Circular Road, Muzaffarnagar.
5. Asstt. Commissioner, Central Excise & Customs Division, Saharanpur, Awas Vikas Colony, Delhi Road, Sharanpur.
6. Asstt. Commissioner, Central Excise & Customs Division, E-Block, Nehru Colony, Haridwar Road, Dehradun-248001.

[F No. 11013(01)/2005-Hindi-2]

MADHU SHARMA, Director (OL)

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 8 सितम्बर, 2006

क्र.आ. 3775.— बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 31 के उपबंध प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 2) की धारा 3 की उप-धारा (1) के अंतर्गत स्थापित किए गए क्षेत्रीय ग्रामीण बैंकों पर उस सीमा तक लागू नहीं होंगे, जहां तक उनका संबंध 31 मार्च, 2007 को समाप्त होने वाले वर्ष के लिए उनके तुलन-पत्रों और लाभ-हानि विवरण तथा उन पर लेखापरीक्षक की रिपोर्ट के प्रकाशन से संबंधित अपेक्षा से है।

[फा. सं. 8/(6)87-आरआरबी]

एम.के. मल्होत्रा, अवर सचिव

(Department of Economic Affairs)

(BANKING DIVISION)

New Delhi, the 8th September, 2006

S.O. 3775.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declare that the provisions of Section 31 of the said Act shall not apply to the Regional Rural Banks established under sub-section (1) of Section 3 of the Regional Rural Banks Act, 1976 (2 of 1976) insofar as the said Section requires the publication of their balance sheets and profit and loss accounts together with the auditor's report thereon for the year ending March 31, 2007.

[F.No. 8(6)87-RRB]

M.K. MALHOTRA, Under Secy.

युवा कार्यक्रम और खेल मंत्रालय

नई दिल्ली, 8 सितम्बर, 2006

क्र.आ. 3776.—केन्द्रीय सरकार एतद्वारा राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण, में युवा कार्यक्रम और खेल मंत्रालय के स्वायत्तशासी कार्यालय भारतीय खेल प्राधिकरण नेताजी सुभाष राष्ट्रीय क्रीड़ा संस्थान, पटियाला तथा भारतीय खेल प्राधिकरण-प्रशिक्षण केन्द्र, बेगमपेट, सिकन्दराबाद जिनके 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है।

[फा. सं. ई-11011/6/2005-हि.ए.]

शैलेश, संयुक्त सचिव

MINISTRY OF YOUTH AFFAIRS AND SPORTS

New Delhi, the 8th September, 2006

S.O. 3376.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (use for official purpose of the Union) Rule, 1976, the Central Government hereby notifies Sports Authority of India-Netaaji Subhas National Institute of Sports, Patiala and Sports Authority of India-Training Centre, Begumpet, Secundrabad autonomous offices under Ministry of Youth Affairs and Sports, whereof more than 80% staff have acquired working knowledge of Hindi.

[F.No.E-11011/6/2005-H.U.]

SAILESH, Jt. Secy.

विदेश मंत्रालय

(सी.पी.वी. प्रभाग)

नई दिल्ली, 28 अगस्त, 2006

क्र.आ. 3777.—राजनयिक कौंसली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41वां) की धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा विदेश मंत्रालय के शाखा सचिवालय, कोलकाता में श्री डी.के. बरुआ, सहायक को 28-8-2006 से सहायक कौंसली अधिकारी का कार्य करने हेतु प्राधिकृत करती है।

[सं. टी-4330/01/2006]

के.जे.एस. सोडी, निदेशक

MINISTRY OF EXTERNAL AFFAIRS

(C.P.V. DIVISION)

New Delhi, the 28th August, 2006

S.O. 3777.—In pursuance of clause (a) of Section 2 of the Diplomatic and Consular Officers (Oaths and fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Shri D.N. Barua, Assistant in the Branch Secretariat of the Ministry of External Affairs to perform the duties of Assistant Consular Officer with effect from 28-8-2006.

[No. T-4330/01/2006]

K.J.S. SODHI, Director

नई दिल्ली, 28 अगस्त, 2006

क्र.आ. 3778.—राजनयिक कौंसली अधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41वां) की धारा 2 के अंक (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत का राजदूतावास, खारतूम में श्री जे.सी. खंडपाल, सहायक को 1-8-2006 से सहायक कौंसली अधिकारी का कार्य करने हेतु प्राधिकृत करती है।

[सं. टी-4330/01/2006]

के.जे.एस. सोडी, निदेशक

New Delhi, the 28th August, 2006

S.O. 3778.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Shri J.C. Kandpal, Assistant in the Embassy of India, Khartoum to perform the duties of Assistant Consular Officer with effect from 01-08-2006.

[No. T-433001/2006]

K.J.S. SODHL, Director (CPV)

कृषि मंत्रालय

(कृषि एवं सहकारिता विभाग)

नई दिल्ली, 24 अगस्त, 2006

का.आ. 3779.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में कृषि एवं सहकारिता विभाग, कृषि मंत्रालय के नियंत्रणाधीन राष्ट्रीय सहकारी प्रशिक्षण परिषद्, नई दिल्ली के निम्नलिखित कार्यालय को जिसके 80 प्रतिशत कर्मचारीवृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

सहकारी प्रबंध संस्थान,
राष्ट्रीय सहकारी प्रशिक्षण परिषद्
विनोबा नगर,
गुवाहाटी-781018
(असम)

[सं. 3-6/2004-हिन्दी नीति]

पी. के. जलाली, संयुक्त सचिव

MINISTRY OF AGRICULTURE

(Department of Agriculture and Cooperation)

New Delhi, the 24th August, 2006

S.O. 3779.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Language (Use for Official Purposes of the Union) Rule, 1976, the Central Government hereby notifies the following office of the National Council for Cooperative Training, New Delhi, under the control of the Department of Agriculture and Cooperation, Ministry of Agriculture, 80% staff whereof have acquired the working knowledge of Hindi :—

Institute of Cooperative Management,
National Council for Cooperative Training,
Vinoba Nagar,
Guwahati-781018,
(Assam).

[No.3-6/2004-Hindi Neeti]

P.K. JALALI, Jr. Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य और परिवार कल्याण विभाग)

नई दिल्ली, 11 सितम्बर, 2006

का.आ. 3780.—केन्द्र सरकार ने भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1)(क) के खण्ड (क) के अनुसरण में तथा आन्ध्र प्रदेश सरकार के साथ परामर्श करके डा. कसु प्रसाद रेड्डी को इस अधिसूचना के जारी होने की तारीख से पांच वर्षों की अवधि के लिए भारतीय आयुर्विज्ञान परिषद् के सदस्य के रूप में मनोनीत किया है।

अतः, अब, उक्त अधिनियम की धारा 3 की उप-धारा (1) के उपबंध के अनुसरण में, केन्द्र सरकार एतद्वारा भारत सरकार के तत्कालीन स्वास्थ्य मंत्रालय की दिनांक 9 जनवरी, 1960 की अधिसूचना संख्या का.आ. 138 में निम्नलिखित और संशोधन करती है अर्थात् :—

उक्त अधिसूचना में 'धारा 3 की उप-धारा (1) के खण्ड (क) के अधीन मनोनीत' शीर्षक के अंतर्गत क्रम संख्या 7 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टियां प्रतिस्थापित की जाएंगी, अर्थात् :—

"7. डा. कसु प्रसाद रेड्डी, आंध्र प्रदेश सरकार"
चिकित्सा निदेशक,
मैक्सिबिजन आई हास्पिटल,
अल्लादीन मैशन,
1-11-252/1 ए, स्ट्रीट नं.-3,
बेगमपेट, हैदराबाद,
पिन-500016.

[सं. वी-11013/1/2005-एम ई (नीति-1)]

के.वी.एस. राव, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

New Delhi, the 11th September, 2006

S.O. 3780.—Whereas the Central Government, in pursuance of clause (a) of sub-section (1)(a) of Section 3 of the Indian Medical Council Act, 1956 (102 of 1956) and in consultation with the Government of Andhra Pradesh have nominated Dr. Kasu Prasad Reddy to be a member of the Medical Council of India for a period of five years with effect from the date of issue of this notification.

Now, therefore, in pursuance of the provision of sub-section (1) (a) of Section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the then Ministry of Health number S.O. 138, dated the 9th January, 1960, namely :—

In the said notification, under the heading 'Nominated under clause (a) of sub-section (1) of Section 3', for serial number 7 and the entries thereto, the following serial number and entries shall be substituted, namely :—

“7. Dr. Kasu Prasad Reddy,
Medical Director
Maxivision Eye Hospital,
Alladin Mansion
1-11-252/1A, Street No. 3,
Begumpet, Hyderabad
PIN-500016.

Government of
Andhra Pradesh”

[No. V-11013/1/2005#ME (Policy-I)]

K.V.S. RAO, Under Secy.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 5 सितम्बर, 2006

का.आ. 3781.—इस मंत्रालय की दिनांक 5-2-2005 की समसंख्यक अधिसूचना के अनुक्रम में और चलचित्र (प्रमाणन) नियम, 1983 के नियम 7 और 8 के साथ पठित चलचित्र अधिनियम, 1952 (1952 का 37) की धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार, तत्काल प्रभाव से केन्द्रीय फिल्म प्रमाणन बोर्ड के हैदराबाद सलाहकार पैनल के सदस्य के रूप में श्रीमती पी. गीता का त्यागपत्र स्वीकार करती है।

[फा. सं. 809/3/2004-एफ (सी)]

अमिताभ कुमार, निदेशक (फिल्म)

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 5th September, 2006

S.O. 3781.—In continuation of this Ministry's Notification of even number dated 05-02-2005 and in exercise of the powers conferred by sub-section (1) of Section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983 the Central Government is pleased to accept the resignation of Smt. P. Geetha as Member of the Hyderabad advisory panel of the Central Board of Film Certification with immediate effect.

[F.No. 809/3/2004-F(C)]

AMITABH KUMAR, Director (Films)

नई दिल्ली, 7 सितम्बर, 2006

का.आ. 3782.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में दूरदर्शन महानिदेशालय और क्षेत्रीय प्रचार निदेशालय (सूचना और प्रसारण मंत्रालय) के निम्नलिखित अधीनस्थ कार्यालयों, जिनके 80% से अधिक कर्मचारीवृन्द ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है :-

1. दूरदर्शन अनुरक्षण केंद्र, कोटा
2. दूरदर्शन अल्प शक्ति ट्रांसमीटर, बांसवाड़ा

3. दूरदर्शन अल्प शक्ति ट्रांसमीटर, सिरौही
4. दूरदर्शन अल्प शक्ति ट्रांसमीटर, नाथद्वारा
5. दूरदर्शन अल्प शक्ति ट्रांसमीटर, केशरियाजी
6. दूरदर्शन अल्प शक्ति ट्रांसमीटर, सलुम्बर
7. दूरदर्शन अल्प शक्ति ट्रांसमीटर, सागवाड़ा
8. दूरदर्शन अल्प शक्ति ट्रांसमीटर, बल्लभनगर
9. दूरदर्शन अल्प शक्ति ट्रांसमीटर, कुशलगढ़
10. दूरदर्शन अल्प शक्ति ट्रांसमीटर, माऊंट आबू
11. दूरदर्शन अल्प शक्ति ट्रांसमीटर, डुंगरपुर
12. दूरदर्शन अल्प शक्ति ट्रांसमीटर, उदयपुर
13. दूरदर्शन समाचार, नई दिल्ली
14. दूरदर्शन अनुरक्षण केंद्र, करनाल
15. दूरदर्शन अल्प शक्ति ट्रांसमीटर, जींद
16. दूरदर्शन अल्प शक्ति ट्रांसमीटर, करनाल
17. दूरदर्शन अल्प शक्ति ट्रांसमीटर, कुरुक्षेत्र
18. दूरदर्शन अल्प शक्ति ट्रांसमीटर, यमुनानगर
19. दूरदर्शन अल्प शक्ति ट्रांसमीटर, अम्बाला
20. दूरदर्शन अल्प शक्ति ट्रांसमीटर, कैथल
21. दूरदर्शन अल्प शक्ति ट्रांसमीटर, गुना
22. प्रादेशिक कार्यालय, जम्मू
23. क्षेत्रीय प्रचार कार्यालय, जम्मू
24. क्षेत्रीय प्रचार कार्यालय, कठुआ
25. क्षेत्रीय प्रचार कार्यालय, पुंछ
26. क्षेत्रीय प्रचार कार्यालय, राजौरी
27. क्षेत्रीय प्रचार कार्यालय, उधमपुर
28. क्षेत्रीय प्रचार कार्यालय, डोडा
29. क्षेत्रीय प्रचार कार्यालय, लेह
30. क्षेत्रीय प्रचार कार्यालय, कुपवाड़ा

[फा. सं. ई-11017/4/2002-हिंदी]

समय सिंह कटारिया, निदेशक (राजभाषा)

New Delhi, the 7th September, 2006

S.O. 3782.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Language (Use for Official Purposes of the Union) Rule, 1976, the Central Government hereby notifies the following subordinate offices of DG : Doordarshan and Directorate of Field Publicity (Ministry of Information and Broadcasting), more than 80% of the staff whereof have acquired the working knowledge of Hindi :—

1. Doordarshan Maintenance Centre, Kota.
2. Doordarshan Low Power Transmitter, Banswara.
3. Doordarshan Low Power Transmitter, Sirohi.
4. Doordarshan Low Power Transmitter, Nathdwara.
5. Doordarshan Low Power Transmitter, Keshariaji.
6. Doordarshan Low Power Transmitter, Salumber.
7. Doordarshan Low Power Transmitter, Sagwada.

8. Doordarshan Low Power Transmitter, Ballabhnagar.
9. Doordarshan Low Power Transmitter, Kushalgarh.
10. Doordarshan Low Power Transmitter, Mount Abu.
11. Doordarshan Low Power Transmitter, Dungarpur.
12. Doordarshan Low Power Transmitter, Udaipur.
13. Doordarshan News, New Delhi.
14. Doordarshan Maintenance Center, Karnal.
15. Doordarshan Low Power Transmitter, Jeend.
16. Doordarshan Low Power Transmitter, Karnal.
17. Doordarshan Low Power Transmitter, Kurukshetra.
18. Doordarshan Low Power Transmitter, Yamunanagar.
19. Doordarshan Low Power Transmitter, Ambala.
20. Doordarshan Low Power Transmitter, Kaithal.
21. Doordarshan Low Power Transmitter, Guna.
22. Regional Office, Jammu.
23. Field Publicity Office, Jammu.
24. Field Publicity Office, Kathua.
25. Field Publicity Office, Poonch.
26. Field Publicity Office, Rajauri.
27. Field Publicity Office, Udhampur.
28. Field Publicity Office, Doda.
29. Field Publicity Office, Leh.
30. Field Publicity Office, Kupwara.

[F.No. E-11017/4/2002-Hindi]

S.S. KATARIA, Director (O. L.)

पोत परिवहन, सड़क परिवहन और राजमार्ग मंत्रालय

(पोत परिवहन विभाग)

(सूचना का अधिकार इकाई)

नई दिल्ली, 1 सितम्बर, 2006

का.आ. 3783.-फाइल सं. एच-11020/2/2005-स्थापना के अंतर्गत जारी किए गए दिनांक 30 सितम्बर, 2005 के सं.का.आ. 1443 (अ) में आंशिक संशोधन करते हुए और साधारण खंड-अधि नियम, 1897 (वर्ष 1897 के अधिनियम सं. 10) की धारा 22 के साथ पठित सूचना का अधिकार अधिनियम, 2005 (वर्ष 2005 के अधिनियम सं. 22) की धारा 19 की उप-धारा (1) के अनुसार में, पोत परिवहन, सड़क-परिवहन और राजमार्ग मंत्रालय, पोत-परिवहन विभाग (मुख्यालय), अपने पद का कार्य भार छोड़ चुके श्री सुशील कुमार के स्थान पर, श्री प्रेमचन्द भीमन, निदेशक (पत्तन विकास) (दूरभाष संख्या 23710189) कमरा सं. 406, परिवहन-भवन, नई दिल्ली-110001 को एतद्वारा, अंतर्देशीय जल परिवहन और पोत-निर्माण

तथा पोत मरम्मत सहित पोत-परिवहन स्कंध से संबंधित सभी मामलों में अपील प्राधिकारी के रूप में नामोद्दिष्ट करता है।

[फा. सं. आई-35019/3/2006-सूचना का अधिकार]

एस.एम. खन्ना, उप-सचिव

अनुबंध**नामोद्दिष्ट अपील प्राधिकारियों के कार्य का विवरण**

किसी ऐसे व्यक्ति द्वारा प्रस्तुत की गई अपील, जिन्हें धारा-7 की उप-धारा (1) अथवा उप-धारा (3) के खण्ड (क) में विनिर्दिष्ट समय के भीतर अपनी अपील के बारे में कोई निर्णय नहीं मिला हो अथवा जो केन्द्रीय लोक सूचना अधिकारी के किसी निर्णय से व्यथित हों, अपील मिलने के 30 (तीस) दिन के भीतर अथवा लिखित रूप से कारण बताते हुए बढ़ाई गई ऐसी अवधि के भीतर जो अपील किए जाने की तारीख से कुल 45 (पैंतालीस) दिन की अवधि से अधिक नहीं हो, जैसा भी मामला हो, निबटाना (सूचना का अधिकार अधिनियम, 2005 की धारा 19)।

MINISTRY OF SHIPPING, ROAD TRANSPORT AND HIGHWAYS

(Department of Shipping)

(RIGHT TO INFORMATION CELL)

New Delhi, the 1st September, 2006

S.O. 3783.—In partial modification of S.O. 143 (E), dated 30th September, 2005 issued under File No. H-11020/2/2005-Estt. and in pursuance of Sub-Section (1) of Section 19 of the Right to Information Act, 2005 (22 of 2005) read with Section 22 of the General Clauses Act, 1897, (10 of 1897), the Department of Shipping (Headquarters), Ministry of Shipping, Road Transport & Highways hereby designates Shri P.C. Dhiman, Director (Ports Development) [Tel No. 2371 0189] Room No. 406, Transport Bhavan, New Delhi-110 001 as Appellate Authority for all matters concerning Shipping Wing including Inland Water Transport (IWT) and Ship building and Ship repairs in place of Shri Susheel Kumar, who has since relinquished his charge.

[F.No. I-35019/3/2006-RTI]

S. M. KHANNA, Dy. Secy.

ANNEXURE**Job—Description of the Designated Appellate Authorities**

To dispose of appeal preferred by any person, who does not receive a decision within the time specified in sub-section (1) or clause (a) of sub-section (3) of section 7, or is aggrieved by a decision of the Central Public Information Officer (CPIO), within the 30 (Thirty) days of the receipt of the Appeal or within such extended period not exceeding a total period of 45 (Forty Five) days from the date of filing thereof, as the case may be, for reasons to be recorded in writing [Section 19 of the RTI Act, 2005].

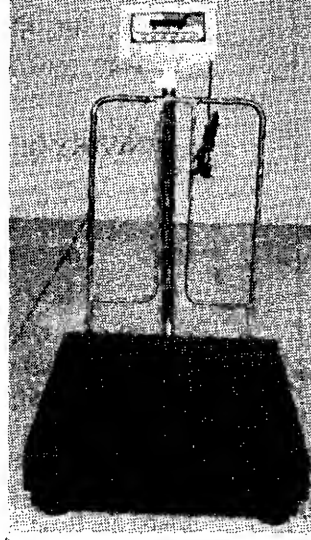
उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

नई दिल्ली, 18 अगस्त, 2006

का. आ. 3784.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स नैनोटेक इन्स्ट्रुमेंटेशन, नं. 6/192, प्रकाश नगर, बोडला रोड, शाहगंज, उत्तर प्रदेश द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "एन पी एच" शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "नैनोटेक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/279 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गैज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 5 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्ध भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धांत आदि की शर्तों के संबंध में परिवर्तित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मान सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू एम-21(86)/2006]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

MINISTRY OF CONSUMER AFFAIRS FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

New Delhi, the 18th August, 2006

S.O. 3784.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing Instrument (Platform type) with digital indication of high accuracy (Accuracy class-II) of series "NPH" and with brand name "NANOTECH" (hereinafter referred to as the said model), manufactured by M/s. Nanotech Instrumentation, No. 6/192, Prakash Nagar, Bodla Road, Shahganj, Agra, Uttar Pradesh and which is assigned the approval mark IND/09/06/729;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg. and minimum capacity of 5 kg. The verification scale interval (e) is 100 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc.

Further, in exercise of the powers conferred by Sub-section (12) of the Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. and upto 5000 kg. with verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

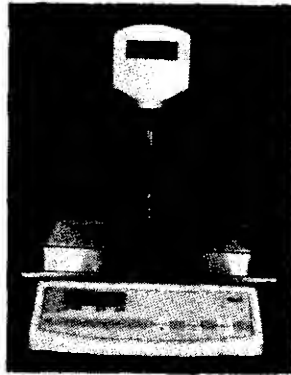
[F.No. WM-21(86)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 23 अगस्त, 2006

का. आ. 3785.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स नैनोटेक इन्स्ट्रुमेंटेशन, नं. 6/192, प्रकाश नगर, बोड़ला रोड, शाहगंज, उत्तर प्रदेश द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एन टी टी" श्रृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (टेबलटॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "नैनोटेक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/278 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (टेबलटॉप प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और इस मॉडल को उसकी बिक्री से पहले अथवा बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धांत आदि की शर्तों पर परिवर्तित/परिवर्धित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

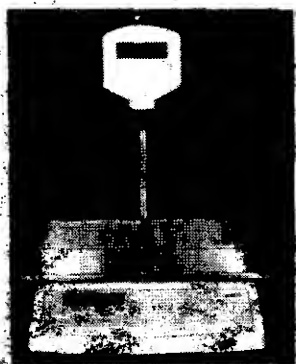
[फा. सं. डब्ल्यू एम-21(86)/2006]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd August, 2006

S.O. 3785.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing Instrument (Table top type) with digital indication of medium (Accuracy class-III) of series "NTT" and with brand name "NANOTECH" (hereinafter referred to as the said model), manufactured by M/s. Nanotech Instrumentation, No. 6/192, Prakash Nagar, Bodla Road, Shahganj, Agra, Uttar Pradesh and which is assigned the approval mark IND/09/06/278;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230Volts, 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

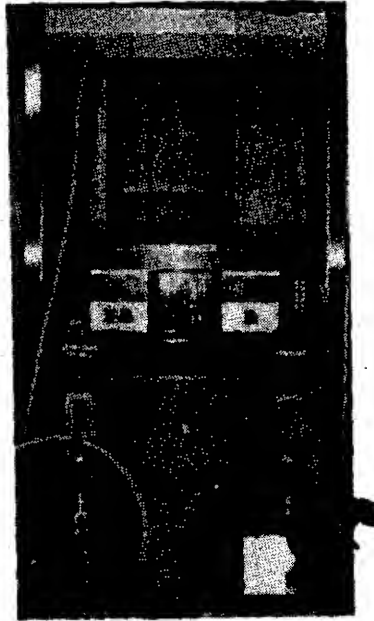
[F.No. WM-21(86)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 23 अगस्त, 2006

क्र. अ. 3786.—केन्द्रीय सरकार का, नीदरलैंड मोटिन्स्टुट (एनएमआई) नीदरलैंड जो इस प्रयोजनार्थ एक अधिसूचित निकाय है, के विहित प्राधिकारी द्वारा जांच रिपोर्ट और मूल्यांकन रिपोर्ट के जांच परिणामों द्वारा माडल के अनुमोदन के प्रमाण-पत्र के साथ उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (माडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त माडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की उप-धारा (3) के तीसरे परन्तुक और धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स डैसर इंडस्ट्रीया कामसिओ-डिविसाओ वायेन, इस्टुडिओ डू टिम्बों, 126-हिजीइनोपोलिस-रिओ-डे-जेनेरेरिओ-आर जे, ब्राजील द्वारा विनिर्मित ग्लोबल विस्टा आयल मिक्स मूखाला के आथल मिक्स टाईप डिजिटल प्रदर्शक वाले डिस्पेंसिंग पम्प के माडल को जिसे भारत में कोई परिवर्तन/परिवर्धन किए बिना मैसर्स जनरल एमजी मैनेजमेंट सिस्टम प्राइवेट लिमिटेड, नं. 521-522 कमर्शियल प्लाजा होटल ली मरिडियन, विंडसर पैलेस, नई दिल्ली-110001 द्वारा बेचा जा रहा है, के माडल का, जिसके ब्रांड का नाम "डैसर वायेन" है (जिसे इसमें इसके पश्चात् उक्त माडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/13/06/325 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त माडल में डिजिटल इंडिकेशन वाला एक फुलो मीटर है जिससे एक डिस्पेंसिंग यूनिट लगा है जो अटैण्डेड अथवा स्टैंड-एलोन मोड पर कार्य करता है। यह उपकरण एक अथवा दो विभिन्न नम्बरों के मोडस पर डिस्पेंस कर सकता है। इसकी अधिकतम प्रवाह गति 50 लीटर प्रति मिनट और न्यूनतम प्रवाह गति 2.5 लीटर प्रति मिनट है। इसका यथार्थता वर्ग 0.5 है। इसका उपयोग पेट्रोलियम उत्पाद जैसे गैसोलाइन, गैस आयल मिक्स, पेट्रोल, डीजल इत्यादि की मात्रा के मापने हेतु किया जाता है। अधिकतम मात्रा 5 अंकों में सूचित की जाती है तथा यूनिट मूल्य 4 अंकों में एवं अधिकतम देय मूल्य 6 अंकों में प्रदर्शित किए जाते हैं। इसमें प्री सेट की सुविधा भी है। इस डिस्पेंसर के ओआईएमएल आर 117 की विशिष्टियों के अनुरूप जांचा गया है। लिक्विड क्रिस्टल डिस्प्ले मापी गई मात्रा को दर्शाते हैं। तथा यह उपकरण 230 वोल्टस, 50 हर्टज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और माडल को बिक्री से पहले अथवा बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों के संबंध में परिवर्तित/परिवर्धित नहीं किया जाएगा।

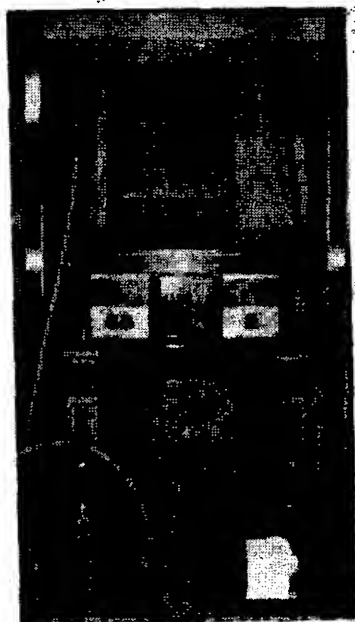
[फा. सं. डब्ल्यू एम-21(77)/2006]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd August, 2006

S.O. 3786.—Whereas the Central Government, after considering the report submitted to it along with the pattern evaluation report and test result granted and approved by the prescribed authority, a notified body for the purpose in the Netherlands Meetrinstitut (NMT) Netherlands is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by third proviso to sub-section (3) and sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby approves, issues and publishes the certificate of approval of model of Dispensing Pump (Oil mix type) with digital indication (hereinafter referred to as said model) of series-Globa Vista Oil Mix and with brand name "Dresser Wayne Pignone", manufactured by M/s. Dresser Industria Comercio, Divisao Wayne, Estrada do Timbo, 126, Higienopolis, Rio de Janeiro-RJ, Brazil and marketed in India without any alteration by M/s. General Energy Management Systems Private Limited, No. 521-522, Commercial Plaza, Hotel Le Meridian, Windsor Palace, New Delhi-110001 and which is assigned the approval mark IND/13/06/325;



The said model has a flow meter with digital indication comprising of a dispensing unit operating in attended or stand-alone mode. The equipment may dispense one or two products in number of modes. Its maximum flow rate is 50 litre per minute, minimum flow rate is 2.5 litre/minute and its accuracy class is 0.5. It is used for the measurement of petroleum products like gasoline, gas oil mix, petrol, diesel etc. the volume is indicated by 5 digits, max unit price by 4 digits and maximum price to pay by 6 digits. It is also having pre set facility. The dispenser has been tested according to OIML R 117 specifications. The Liquid Crystal Display (LCD) indicates the measuring results etc. and the instrument operates on 230 Volts, 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. before or after sale.

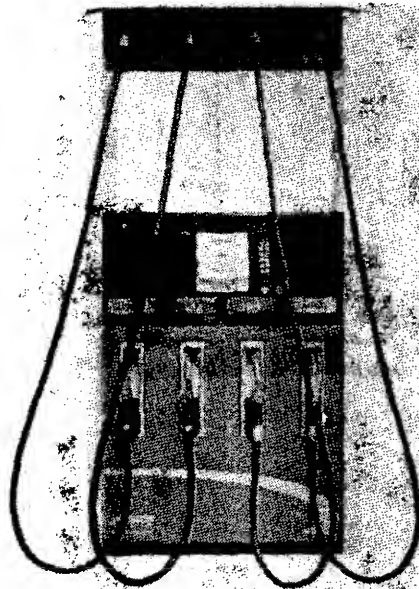
[F.No. WM-21(77)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 23 अगस्त, 2006

का. आ. 3787.—केन्द्रीय सरकार का, नीदरलैंड मीटिन्स्टुट (एनएमआई) नीदरलैंड जो इस प्रयोजनार्थ एक अधिसूचित निकाय है, के विहित प्राधिकारी द्वारा जांच रिपोर्ट और मूल्यांकन रिपोर्ट के जांच परिणामों द्वारा माडल के अनुमोदन के प्रमाणपत्र के साथ उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की उप-धारा (3) के तीसरे परन्तुक और धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स ड्रेसर इंडस्ट्रीया कामसिओ-डिविसाओ वायेन, इस्ट्राडा डू टिम्बो, 126-हिजीइनोपोलिस-रिओ-डे-जेनेरिओ-आर जे, ब्राजील द्वारा विनिर्मित ग्लोबल विस्टा' शृंखला के फ्यूल डिस्पेंसर के माडल को जिसे भारत में कोई परिवर्तन/परिवर्धन किए बिना मैसर्स जनरल एनर्जी मैनेजमेंट सिस्टम प्राइवेट लिमिटेड, नं. 521-522 कमर्शियल प्लाजा होटल ली मरिडियन, विंडसर पैलेस, नई दिल्ली-110001 द्वारा बेचा जा रहा है, के माडल का, जिसके ब्रांड का नाम "ड्रेसर वायेन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/13/06/324 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल बिजली से चलने वाला एक पीरियाडिक डिस्प्लेसमेंट मोटर का है जिसमें एक डिस्पेंसिंग यूनिट लगा है जो अटैण्डेड अथवा स्टैंड-एलोन मोड पर कार्य करता है। यह उपकरण एक से 5 उत्पादों के अधिकतम 10 नोजलों को विभिन्न नम्बरों के मोडस पर डिस्पेंस कर सकता है। इसकी अधिकतम प्रवाह गति 40, 70, 90 अथवा 130 लीटर प्रति मिनट और न्यूनतम प्रवाह गति 4.4 और 13 लीटर प्रति मिनट है। इसका यथार्थता वर्ग 0.5 है। इसका उपयोग पेट्रोलियम उत्पाद जैसे गैसोलाइन, गैस आयल मिक्स, पेट्रोल, डीजल इत्यादि की मात्रा के मापने हेतु किया जाता है। अधिकतम मात्रा 5 अंकों में सूचित की जाती है तथा यूनिट मूल्य 5 अंकों में एवं अधिकतम देय मूल्य 6 अंकों में प्रदर्शित किए जाते हैं। इसमें प्री सेट की सुविधा भी है। इस डिस्पेंसर को ओआईएमएल आर 117 की विशिष्टियों के अनुरूप जांचा गया है। है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पूर्व अथवा बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि की शर्तों पर संबंध में परिवर्तित/परिवर्धित नहीं किया जाएगा।

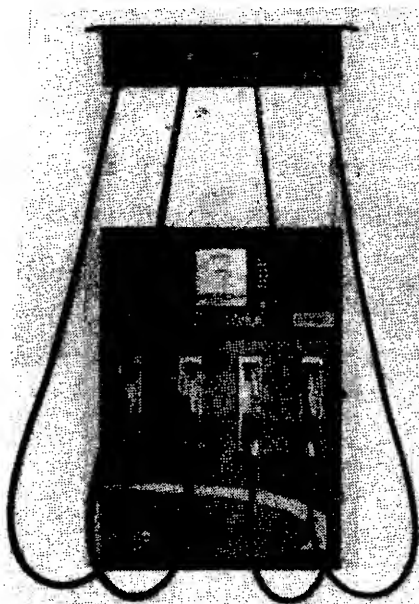
[फा. सं. डब्ल्यू एम-21(78)/2006]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd August, 2006

S.O. 3787.—Whereas the Central Government, after considering the report submitted to it along with the pattern evaluation report and test result granted and approved by the prescribed authority, a notified body for the purpose in the Netherlands Meetinstituut (NMI), Netherlands is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the third proviso to sub-section (3) and sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby approves, issues and publishes the certificate of approval of model of Dispensing Pump with digital indication (hereinafter referred to as said model) of series-Global Vista and with brand name "Dresser Wayne", manufactured by M/s. Dresser Industriae Comercio, Divisao Wayne, Estrada do Timbo, 126, Higienopolis, Rio de Janeiro-RJ, Brazil and marketed in India without any alteration by M/s. General Energy Management Systems Private Limited, No. 521-522, Commercial Plaza, Hotel Le Meridian, Windsor Palace, New Delhi-110001 and which is assigned the approval mark IND/13/06/324;



The said model has a flow meter with digital indication comprising of a dispensing unit operating in attended or stand-alone mode. The equipment may dispense one to five products up to a maximum 10 nozzles and operate in different number of modes. Its maximum flow rate range is 40,70,90, or 130 in unit of litre per minute and corresponding minimum flow rate is 4,4,4 and 13 in units of litre/minute and its accuracy class is 0.5. It is used for the measurement of petroleum products like gasoline, gas oil petrol, diesel etc. The volume is indicated by 5 digits, max unit price by 5 digits and maximum price to pay by 6 digits. It is also having pre set facility. The said model has been tested according to OIML R 117 specifications.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

[F. No. WM-21(78)/2006]

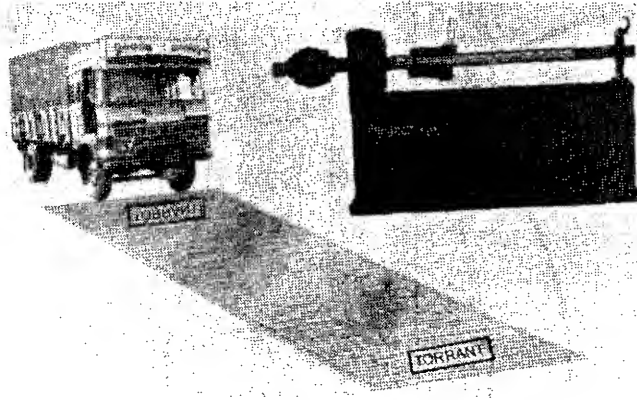
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 5 सितम्बर, 2006

का. आ. 3788.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स टोरेट इन्स्ट्रूमेंट, नं. 93, नील टेनामेंट, पार्ट-1, नरोदा-काठवाडा रोड, न्यू नरोदा, अहमदाबाद-382330 गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले 'टी आई डब्ल्यू' शृंखला के सादृश्य सूचन सहित, अस्वचालित तोलन उपकरण (मैकेनिकल व्हे ब्रिज प्रकार) के मॉडल का, जिसके ब्रांड का नाम "टोरेट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/380 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (कृपया नीचे दी गई आकृति देखें) एक मैकेनिकल व्हे ब्रिज (स्टील यार्ड प्रकार) है। यह कम्पाउंड लीवर्स और नाइफ एज के सिद्धांत पर आधारित है। इसकी अधिकतम क्षमता 30,000 कि. ग्रा. और न्यूनतम क्षमता 100 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 5 कि. ग्रा. है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री पूर्व अथवा बिक्री पश्चात् उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धांत आदि शर्तों पर परिवर्तित/परिवर्धित नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि. ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान सहित 5 टन से 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(101)/2006]

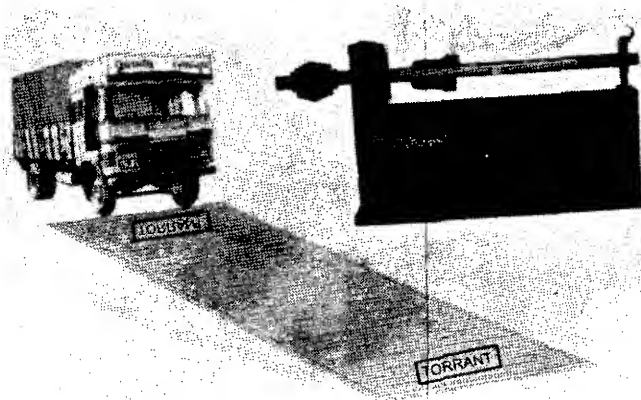
आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 5th September, 2006

S.O. 3788.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of the non-automatic weighing instrument (Mechanical Weighbridge type) with analog indication and of medium accuracy (Accuracy class-III) with brand "TORRANT" and series "TIW" (hereinafter referred to as the said model), manufactured by M/s. Torrant Instruments, 93, Nil Tenament, Part-1, Naroda-Kathawada Road, New Naroda, Ahmedabad-382330, Gujarat and which is assigned the approval mark IND/09/06/380;

The said model (see the figure given below) is a mechanical weighbridge (steelyard type) based on the principles of compound levers and knife edges. It has a maximum capacity of 30,000 kg. and minimum capacity of 100 kg. The verification scale interval (e) is 5 kg.



In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance and of the same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 kg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

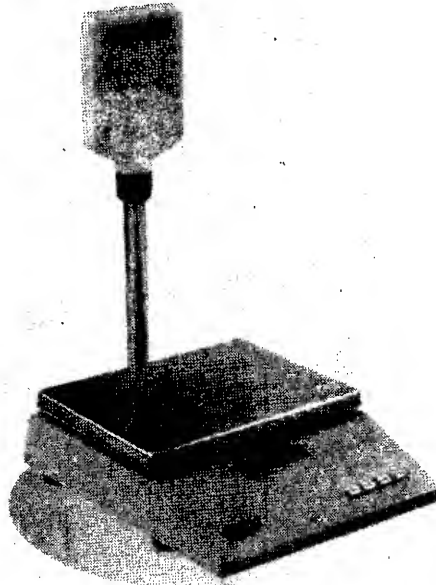
[FNo. WM-21(101)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 6 सितम्बर, 2006

का. आ. 3789.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पास्को स्केल्स विलेज : होइल रोड, सहनौली (हसनपुर), फरीदाबाद, हरियाणा द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “पी एसटी” शृंखला के अंकक सूचन सहित; अस्वचालित तोलन उपकरण (टेबलटॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “पास्को” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/397 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (टेबलटॉप प्रकार का) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धांत आदि की शर्तों के संबंध में परिवर्तन/परिवर्धन नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि. ग्रा. तक “ई” मान के लिए 100 से 5,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में मापमान (एन) अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

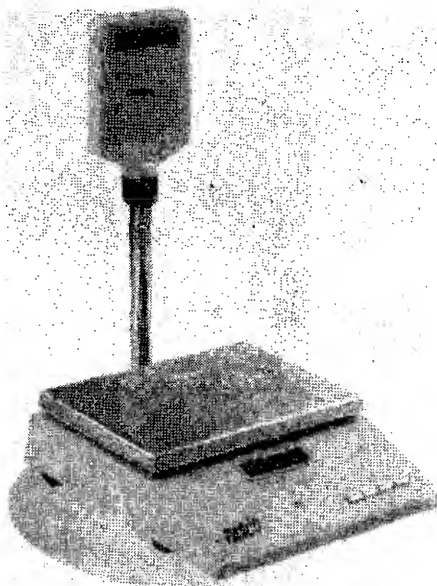
[फा. सं. डब्ल्यू एम-21(179)/2006]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 6th September, 2006

S.O. 3789.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of Model of non-automatic weighing Instrument (Tabletop type) with digital indication of "PST" series of high accuracy (Accuracy class-II) and with brand name "PASCO" (hereinafter referred to as the said model), manufactured by M/s. Pasco Scales, Vill. Hodal road, Sahnali (Hassanpur), Faridabad, Haryana and which is assigned the approval mark IND/09/06/397;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 2 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply;

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle, etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make and performance of same series with maximum capacity up to 50kg. and with number of verification scale interval (n) in the range of 100 to 5,000 for 'e' value of 1mg to 50mg. and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

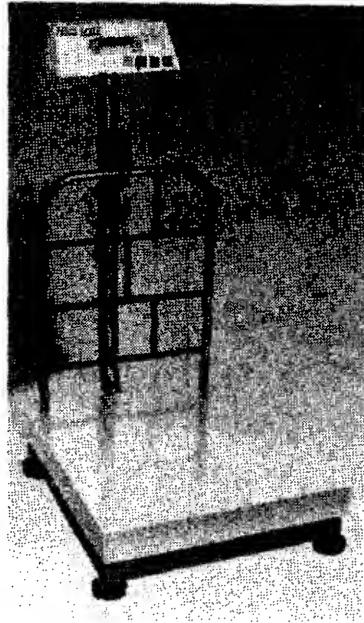
[F.No.WM-21(179)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 6 सितम्बर, 2006

का. आ. 3790.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पास्को स्केल्स, विलेज: होड्ल रोड, सहनौली (हसनपुर), फरीदाबाद, हरियाणा द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले “पी एस पी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “पास्को” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/398 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार लोड सेल आधारित अस्वचालित (प्लेटफार्म प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 5 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बेचने से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, कार्यकारी सिद्धान्त आदि की शर्तों पर परिवर्तन/परिवर्धन नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक के रेंज में सत्यापन मान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

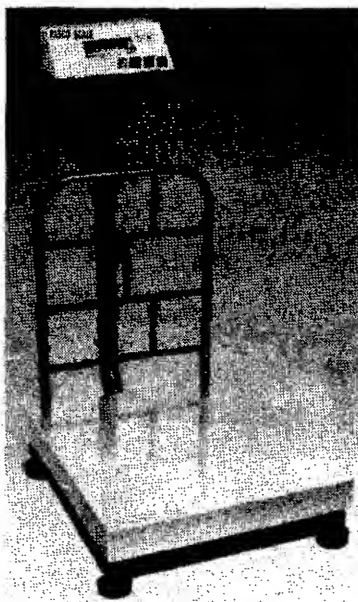
[फा. सं. डब्ल्यू एम-21(179)/2006]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 6th September, 2006

S.O. 3790.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "PSP" series of high accuracy (Accuracy class-II) and with brand name "PASCO" (hereinafter referred to as the said model), manufactured by M/s. Pasco Scales, Vill.: Hodal Road, Sahnauli (Hassanpur), Faridabad, Haryana and which is assigned the approval mark IND/09/2006/398;



The said model is a strain gauge type load cell based non-automatic weighing instrument with a maximum capacity of 1000kg. and minimum capacity of 5kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity ranging above 50 kg. to 5000kg. and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100mg. or more and for 'e' value of 1×10^k , 2×10^k or 5×10^k , where k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which the said approved Model has been manufactured.

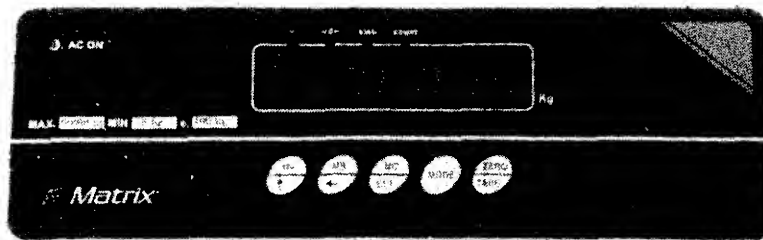
[F.No. WM-21(179)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 11 सितम्बर, 2006

का. आ. 3791.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मेट्रिक्स वेइंग सिस्टम्स प्रा. लि., 213, राजलक्ष्मी काम्पलेक्स, 16, विजय प्लाट मेन रोड, राजकोट-360002, गुजरात द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एम डब्ल्यू सी के" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (वे ब्रिज के लिए कंवर्जन किट प्रकार) के मॉडल का, जिसके ब्रांड का नाम "मेट्रिक्स" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/403 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल अंकक सूचन सहित विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (वे ब्रिज के लिए कंवर्जन किट प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 टन और न्यूनतम क्षमता 100 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बेचने से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धान्त आदि की शर्तों पर परिवर्तन/परिवर्धन नहीं किया जाएगा।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान (एन) अंतराल सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

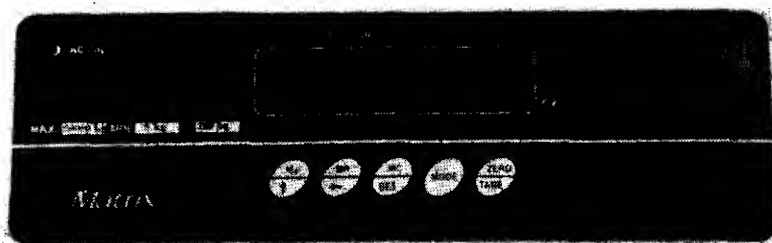
[फा. सं. डब्ल्यू एम-21(161)/2006]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th September, 2006

S.O. 3791.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (conversion kit for weighbridge) with digital indication of "MWCK" series of medium accuracy (Accuracy class III) of series "MATRIX" (herein after referred to as the said model), manufactured by M/s. Matrix Weighing Systems Pvt. Ltd., 213, Rajlaxmi Complex, 16, Vijay Plot Main Road, Rajkot-360002, Gujarat and which is assigned the approval mark IND/09/2006/403;



The said model is a strain gauge type load cell based non-automatic weighing instrument (conversion kit for weighbridge) with a maximum capacity of 30 tonne and minimum capacity of 100kg. The verification scale interval (e) is 5 Kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and upto 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 kg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(161)/2006]

R. MATHURBHOOTAM, Director of Legal Metrology

नई दिल्ली, 11 सितम्बर, 2006

का. आ. 3792.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मेट्रिक्स वेइंग सिस्टम्स प्रा. लि., 213, राजलक्ष्मी काम्पलेक्स, 16, विजय प्लाट मेन रोड, राजकोट-360002, गुजरात द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “एम डब्ल्यू बी” के अंकक सूचन सहित अस्वचालित तोलन उपकरण (वे ब्रिज प्रकार) के मॉडल का, जिसके ब्रांड का नाम “मेट्रिक्स” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/404 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित (वे ब्रिज प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 टन और न्यूनतम क्षमता 100 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 5 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। लोड सैल विकृति गैज प्रकार का है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बेचने से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धान्त आदि की शर्तों पर परिवर्तन/परिवर्धन नहीं किया जाएगा।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि. ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(161)/2006]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th September, 2006

S.O. 3792.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (weighbridge type) with digital indication of belonging to medium accuracy (Accuracy class III) of "MWB" series with brand name "MATRIX" (hereinafter referred to as the said model), manufactured by M/s. Matrix Weighing Systems Pvt. td., 213, Rajlaxmi Complex, 16, Vijay Plot Main Road, Rajkot-360 002, Gujarat and which is assigned the approval mark IND/09/2006/404;



The said model is a strain gauge type load cell based non-automatic weighing instrument (weighbridge type) with a maximum capacity of 30 tonne and minimum capacity of 100kg. The verification scale interval (e) is 5kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternate current power supply. The load cell is of strain gauge type.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sales.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and upto 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 kg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

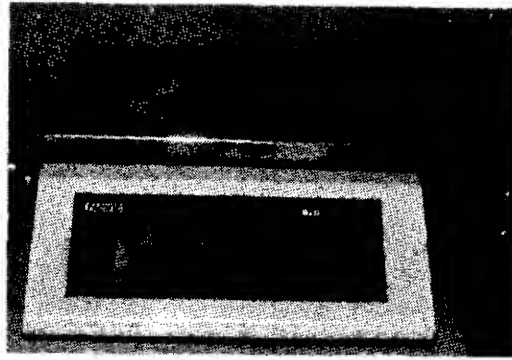
[F. No. WM-21(161)/2006]

R. MATHURBHOOTAM, Director of Legal Metrology

नई दिल्ली, 11 सितम्बर, 2006

का. आ. 3793.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पेसिफिक स्केल इंडिया, ए-68, मोनिका काम्पलेक्स, चाणक्य प्लेस, पार्ट-1, उत्तम नगर, नई दिल्ली 110059 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "पी एस टी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटोप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "पेसिफिक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2006/399 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल विकृति गेज प्रकार लोड सेल आधारित अस्वचालित तोलन उपकरण (टेबलटोप प्रकार का) है। इसकी अधिकतम क्षमता 20 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्ट्राँपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बेचने से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धान्त आदि की शर्तों पर परिवर्तन/परिवर्धन नहीं किया जाएगा।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक "ई" मान के लिए 100 से 5,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5,000 से 50,000 तक की रेंज में मापमान (एन) अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

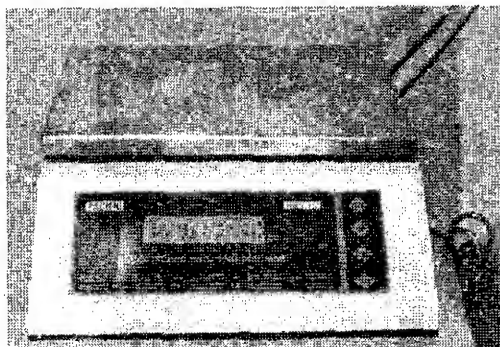
[फा. सं. डब्ल्यू एम-21(182)/2006]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th September, 2006

S.O. 3793.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop type) with digital indication of "PST" series of high accuracy (Accuracy class II) and with brand name "PACIFIC" (herein after referred to as the said model), manufactured by M/s. Pacific Scale India, A-68, Monika Complex, Chanakya Place, Part-I, Uttam Nagar, New Delhi-110059 and which is assigned the approval mark IND/09/2006/399;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 20 kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity up to 50 kg. and with number of verification scale interval (n) in the range of 100 to 5,000 for 'e' value of 1mg. to 50mg. and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

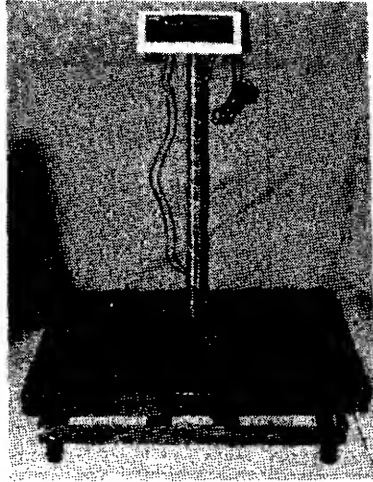
[F. No. WM-21(182)/2006]

R. MATHURBHOOTAM, Director of Legal Metrology

नई दिल्ली, 11 सितम्बर, 2006

का. आ. 3794.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पेसिफिक स्केल इंडिया, ए-68, मोनिका काम्पलेक्स, चाणक्य प्लेस, पार्ट-1, उत्तम नगर, नई दिल्ली 110059 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "पी एस पी" श्रृंखला के अंकक सूचन सहित स्वतः सूचक अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "पेसिफिक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/400 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बेचने से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धान्त आदि की शर्तों पर परिवर्तन/परिवर्धन नहीं किया जाएगा।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मॉडल, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

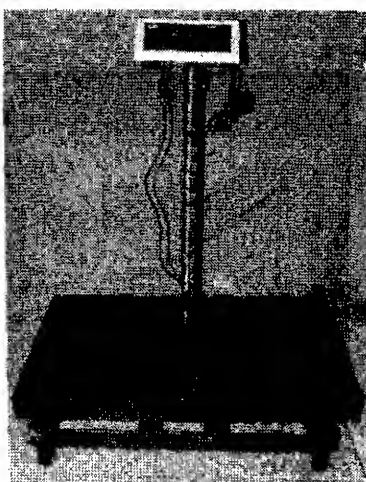
[फा. सं. डब्ल्यू एम-21(182)/2006]

आर. माधुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th September, 2006

S.O. 3794.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic (Platform type) weighing instrument with digital indication of "PSP" series of medium accuracy (Accuracy class III) and with brand name "PACIFIC" (herein after referred to as the said model), manufactured by M/s. Pacific Scale India, A-68, Monika Complex, Chanakya Place, Part-I, Uttam Nagar, New Delhi-110059 and which is assigned the approval mark IND/09/06/400;



The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 1000 kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of same series with maximum capacity above 50 kg. and upto 5000 kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

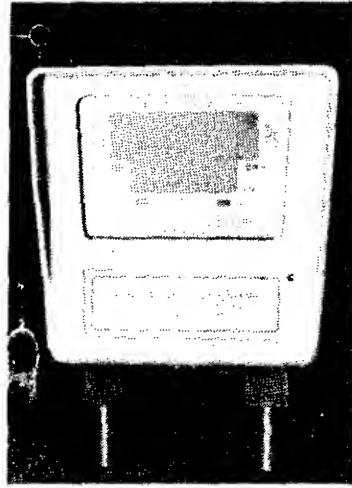
[F. No. WM-21(182)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 11 सितम्बर, 2006

का. आ. 3795.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा जारी अनुमोदित प्रमाण-पत्र के साथ उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए स्मार्ट टेक्नोलॉजी सिस्टम, सं. 31, कां. क्रॉस, शरदम्बा नगर, जलहाली, बंगलौर-560013, कर्नाटक द्वारा विनिर्मित "एस टी एस-30 आर" शृंखला के अंकक सूचन सहित "टैक्सो मीटर" के मॉडल का, जिसके ब्रांड का नाम "स्मार्ट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/195 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक "टैक्सो मीटर" है जो समय और दूरी मापने का उपकरण है, जो निरंतर योग निकालता रहता है और यात्रा के किसी भी वक्त के भाड़े को दर्शाता है। सार्वजनिक वाहन के यात्री द्वारा दिया गया भाड़ा, तय की गई दूरी और निश्चित गति से नीचे लिए गए समय का फलन है। प्राधिकृत टैरिफ के अनुसार यह अतिरिक्त भाड़े से स्वतंत्र है। मीटर की रीडिंग सात सैगमेंट प्रकाश उत्सर्जक डायोड (एल ई डी) उपदर्शित करता है और विद्युत प्रदाय 12 वोल्ट डी सी है।

टैक्सो मीटर का "के" घटक 2800 पल्स प्रति कि. मी. है। चेंज ओवर गति 0.8 कि.मी. प्रति घंटा है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बिक्री से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट, कार्यकारी सिद्धान्त आदि की शर्तों के संबंध में परिवर्तित नहीं किया जाएगा।

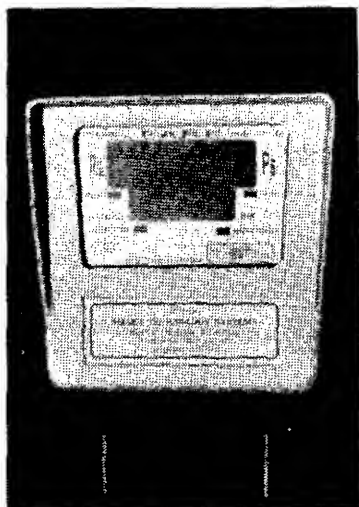
[फा. सं. डब्ल्यू एम-21(38)/2006]

आर. माधुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th September, 2006

S.O. 3795.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model (see the figure given below) declared in the said report is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of "Taxi Meter" with digital indication (herein after referred to as the said model) of "STS-30R" series with brand Name "SMART" manufactured by M/s. Smart Technology Systems, No. 31, 5th C Cross, Sharadamba Nagar, Jalahalli, Bangalore-560 013, Karnataka and which is assigned the approval mark IND/09/06/195;



The said model of "Taxi Meter" is a time and distance measuring instrument which totalizes continuously and indicate the fare, at any moment of journey, the charges payable by the passenger of a public vehicle as function of the distance travelled, and below a certain speed on the length of the time taken; this being independent of supplementary charges according to the authorized tariffs. The reading of the meter is indicated by seven segment Light Emitting Diode (LED) and the power supply is 12V DC. The 'K' factor of the the Taxi Meter is 2800 pulses per kilometer. The changeover speed is 0.8 km per hour.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and the model shall not be changed in terms of its material, accuracy, design, circuit, working principle etc. before or after sales.

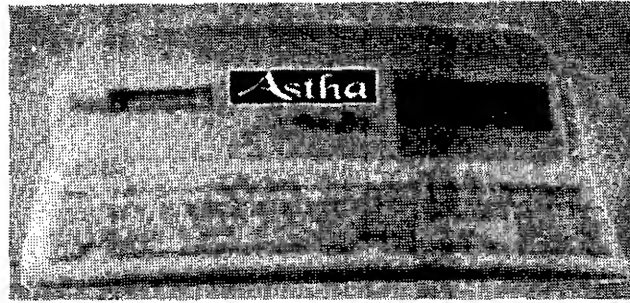
[F. No. WM-21(38)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 11 सितम्बर, 2006

का. आ. 3796.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स आस्था वेइंग सिस्टम, नरोदा, जी. आई. डी. सी., फेस-III, प्लॉट नं बी-3, नियर सूर्यनगर, रा-हाउस, अहमदाबाद-हिम्मतनगर एन. एच. नं. 8, अहमदाबाद-382 330 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "ए-30 डी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (वे ब्रिज प्रकार) के मॉडल का, जिसके ब्रांड का नाम "आस्था" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/405 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित (वे ब्रिज प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30,000 कि.ग्रा. और न्यूनतम क्षमता 100 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 5 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बेचने से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धान्त आदि की शर्तों पर परिवर्तन/परिवर्धन नहीं किया जाएगा।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[फा. सं. डब्ल्यू एम-21(142)/2006]

आर. माथुरबूथम, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th September, 2006

S.O. 3796.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge type) with digital indication of medium accuracy (Accuracy class III) of series 'A 30D' with brand name "ASTHA" (hereinafter referred to as the said model), manufactured by M/s. Astha Weighing Systems, Naroda, G.I.D.C., Phase-III, Plot No. B-3, Nr. Suryanagar Raw-House, Ahmedabad-Himmatnagar N. H. 8, Naroda, Ahmedabad-382 330 and which is assigned the approval mark IND/09/06/405;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge type) working on the principle of load cell with digital indication of maximum capacity of 30000 kg and minimum capacity of 100kg. The verification scale interval (e) is 5kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sale.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity above 5000 kg and up to 10,000 kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

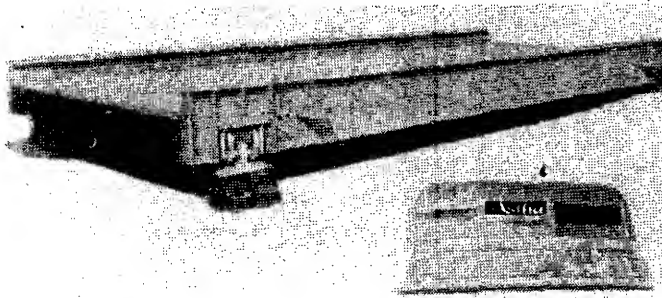
[F. No. WM-21(142)/2006]

R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 11 सितम्बर, 2006

का. आ. 3797.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स आस्था वेइंग सिस्टम्स, नरोदा, जी. आई. डी. सी., फेस-III प्लॉट नं. बी-3, नियर सूर्यनगर, रा-हाऊस, अहमदाबाद हिम्मतनगर एन, एच नं. 8, नरोदा, अहमदाबाद-382330 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "ए 30 डी-1" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (वे ब्रिज के लिए कंवर्जन किट प्रकार) के मॉडल का, जिसके ब्रांड का नाम "आस्था" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/406 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल अंकक सूचन सहित विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (वे ब्रिज के लिए कंवर्जन किट प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30,000 कि.ग्रा. और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 5 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बेचने से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धान्त आदि की शर्तों पर परिवर्तन/परिवर्धन नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान (एन) अंतराल सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

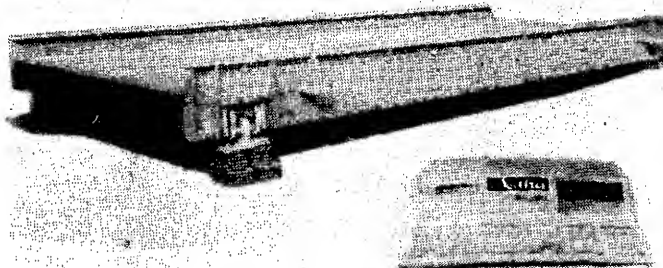
[फा. सं. डब्ल्यू एम-21(142)/2006]

आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th September, 2006

S.O. 3797.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions,

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Conversion kit for Weighbridge type) with digital indication of medium accuracy (accuracy class-III) of series-A30D-1 with brand name "ASTHA" (hereinafter referred to as the said model), manufactured by M/s. Astha Weighing System's, Naroda, G.I.D.C., Phase-III, Plot No. B-3, Nr. Suryanagar Raw-House, Ahmedabad-Himatnagar, N.H. No. 8, Naroda, Ahmedabad-382330 and which is assigned the approval mark IND/09/06/406;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Weighbridge type) working on the principle of load cell with digital indication of maximum capacity of 30000kg and minimum capacity of 100kg. The verification scale interval (e) is 5 kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sales.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity above 5000kg and upto 1,00,000 kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k or 5×10^k , where k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(142)/2006]

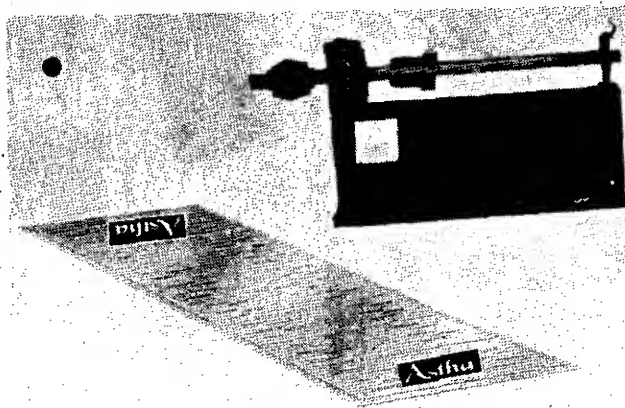
R. MATHURBOOTHAM, Director of Legal Metrology

नई दिल्ली, 11 सितम्बर, 2006

का. आ. 3798.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स आस्था वेइंग सिस्टम्स, नरोदा, जी. आई. डी. सी., फेस-III प्लॉट नं. बी-3, नियर सूर्यनगर, रा-हाउस, अहमदाबाद हिममतनगर एन एच नं. 8, नरोदा, अहमदाबाद-382330 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “ए 40 डी” शृंखला के सादृश्य सूचन सहित अस्वचालित तोलन उपकरण (मैकेनिकल वे ब्रिज प्रकार) के मॉडल का, जिसके ब्रांड का नाम “आस्था” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/407 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) मैकेनिकल वे ब्रिज (स्टील यार्ड प्रकार) है। यह कम्पाउंड लीवर्स और नाइफ एंज के सिद्धांत पर आधारित है। इसकी अधिकतम क्षमता 40,000 कि.ग्रा. और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 5 कि. ग्रा. है।



स्ट्रापिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा और मॉडल को बेचने से पहले या बाद में उसकी सामग्री, यथार्थता, डिजाइन, सर्किट डायग्राम, निष्पादन सिद्धान्त आदि की शर्तों पर परिवर्तन/परिवर्धन नहीं किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(142)/2006]

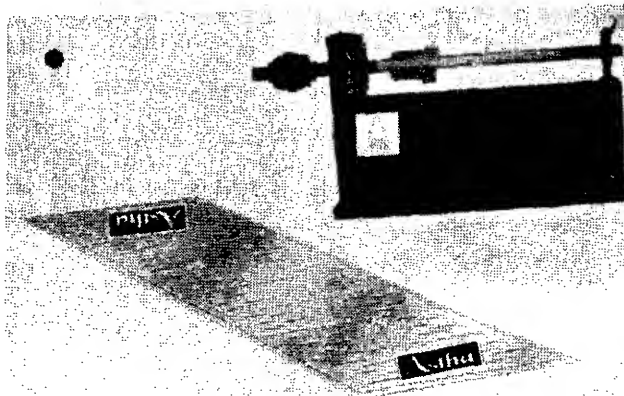
आर. माथुरबूधम, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th September, 2006

S.O. 3798.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Mechanical Weighbridge type) with analog indication of medium accuracy (accuracy class-III) of series-A40D with brand name "ASTHA" (hereinafter referred to as the said model), manufactured by M/s. Astha Weighing System's, Naroda, G.I.D.C., Phase-III, Plot No. B-3, Nr. Suryanagar Raw-House, Ahmedabad-Himatnagar N.H. No. 8, Naroda, Ahmedabad-382330 and which is assigned the approval mark IND/09/06/407;

The said Model (see the figure given below) is a mechanical weighbridge (steel yard type) based on the principles of compound levers and knife edges. It has maximum capacity of 40,000kg and minimum capacity of 100kg. The verification scale interval (e) is 5kg.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening machine for fraudulent practices and model shall not be changed in terms of its material, accuracy, design, circuit diagram, working principle etc. before or after sales.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity above 5000kg and upto 10,000kg and with number of verification scale interval (n) in the range of 500 to 1,00,000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(142)/2006]

R. MATHURBOOTHAM, Director, Legal Metrology

(भारतीय मानक ब्यूरो)

नई दिल्ली, 4 सितम्बर, 2006

का.आ. 3799.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किये गये हैं :

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 4379 : 1981 औद्योगिक गैस सिलिंडर में तत्वों की पहचान (पहला पुनरीक्षण)	संशोधन नं. 2 अगस्त 2006	1 सितम्बर, 2006

इस संशोधन की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[सं. एम ई डी/जी-2:1]

सी. के. वेदा, वैज्ञा. 'एफ' एवं प्रमुख (यांत्रिक इंजीनियरिंग)

(BUREAU OF INDIAN STANDARDS)

New Delhi, the 4th September, 2006

S.O. 3799.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed has been issued :

SCHEDULE

Sl. No.	No. and year of the Indian Standards	No. and year of the Amendment	Date from which the Amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 4379 : 1981 Identification of contents of industrial gas cylinders (First Revision)	Amendment No. 2 August 2006	1 September, 2006

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, and Thiruvananthapuram.

[No. MED/G-2:1]

C. K. VEDA, Sct 'F' & Head (Mechanical Engineering)

नई दिल्ली, 4 सितम्बर, 2006

का.आ. 3800.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गये हैं।

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या, वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 15680 : 2006 स्टीम ट्रैप के चयन की मार्गदर्शिका		31 जुलाई, 2006
2.	आई एस 11114 (भाग 2) : 2006/आई एस ओ 6746-1 : 2003 मृदा-प्रहस्तन मशीनरी—आयामों और कोडों की परिभाषाएं—भाग 2 आधार मशीन (दूसरा पुनरीक्षण)	आई एस 11114 (भाग 2) : 1993/आई एस ओ 6746-1 : 2003 मृदा-प्रहस्तन मशीनरी—आयामों और सूचकों की परिभाषाएं—भाग 2 आधार मशीन (पहला पुनरीक्षण)	30 जून, 2006
3.	आई एस 11114 (भाग 3) : 2006/आई एस ओ 6746-2 : 2003 मृदा-प्रहस्तन मशीनरी—आयामों और कोडों की परिभाषाएं—भाग 3 उपस्कर और जुड़नार (दूसरा पुनरीक्षण)	आई एस 11114 (भाग 3) : 1993/आई एस ओ 6746-2 : 2003 मृदा-प्रहस्तन मशीनरी—आयामों और सूचकों की परिभाषाएं—भाग 3 उपस्कर (पहला पुनरीक्षण)	31 जुलाई, 2006

इन भारतीय मानकों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[सं. एम ई डी/जी-2:1]

सी. के. वेदा, वैज्ञा. 'एफ' एवं प्रमुख (यांत्रिक इंजीनियरिंग)

New Delhi, the 4th September, 2006

S. O. 3800.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. and year of the Indian Standards Established	No. and year of Indian Standards, if any, superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 15680 : 2006 Guidelines for selection of steam traps		31 July, 2006
2.	IS 11114 (Part 2) : 2006/ISO 6746-1 : 2003 Earth-moving machinery—Definitions of dimensions and codes : Part 2 Base machine (second revision)	IS 11114 (Part 2) : 1993/ISO 6746-1 : 1987 Earth-moving machinery—Definitions and Symbols : Part 2 Base machine (first revision)	30 June, 2006
3.	IS 11114 (Part 3) : 2006/ISO 6746-2 : 2003 Earth-moving machinery—Definitions of dimensions and codes : Part 3 Equipment and attachments (second revision)	IS 11114 (Part 3) : 1993/ISO 6746-2 : 1987 Earth-moving machinery—Definitions of dimensions and symbols : Part 3 Equipment (first revision)	31 July, 2006

Copy of these Standards are available for sale with the Bureau of Indian Standards. Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[No. MED/G-2:1]

C. K. VEDA, Sct. 'F' & Head (Mechanical Engineering)

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 15 सितम्बर, 2006

का.आ. 3801.- केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि महाराष्ट्र राज्य में दहेज-हजीरा-उरान एवं स्पर पाइपलाइन (पनवेल-दाभोल सेक्सन) द्वारा प्राकृतिक गैस के परिवहन के लिए गेल (इण्डिया) लिमिटेड द्वारा, एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उप-धारा (1) के अधीन भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में, श्री के. एन. कशिबले, सक्षम प्राधिकारी, गेल (इण्डिया) लिमिटेड, गेल आशियाना भवन, सेक्टर 8बी, 3डी2, सी.बी.डी., बेलापुर, नवी मुम्बई-400614 (महाराष्ट्र) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

जिला	तहसील	गाँव	सर्वे नं.	आर.ओ.यू. अर्जित करने के लिए क्षेत्रफल (हेक्ट. में)
1	2	3	4	5
रायगड	खालापुर	वडवल	70/7	00-27-00
रायगड	खालापुर	धामणी	62/3	00-16-00
रायगड	खालापुर	सारंग	55/2	00-06-00
			35/3	00-09-00
रायगड	खालापुर	धारणी	38	00-29-00
रायगड	खालापुर	लोधीवर्ला	97/13	00-03-00
			88/1	00-61-00
रायगड	खालापुर	दहिवली	25	00-09-00
रायगड	खालापुर	निंबोडे	62/8	00-29-00
रायगड	खालापुर	आसरोटी	63/4	00-16-00

1	2	3	4	5
रायगड	खालापुर	आसरोटी	63/6	00-02-00
			63/7	00-17-00
			52/3	00-12-00
रायगड	खालापुर	खांबेवाडी	36/4	00-14-00
रायगड	खालापुर	निगडोली	100/9	00-21-00
रायगड	खालापुर	कारगांव	94	00-90-00
			54	00-01-00
रायगड	सुधागड	करचुंडे	4	00-01-00
रायगड	सुधागड	अडूलशे	13	00-13-00
रायगड	सुधागड	कासारवाडी	36	00-28-00
रायगड	सुधागड	जांभुलपाडा	8	00-43-00
रायगड	पनवेल	भोकरपाडा	61/1	00-32-00
रायगड	पनवेल	पोयजे	83/5	00-07-00
रायगड	पनवेल	शेडूंग	118	00-12-00
रायगड	पनवेल	चिखले	59/5	00-05-00
			60/5	00-04-00
रायगड	रोहा	बाल्हे	59	00-25-00
			69	00-10-00
रायगड	रोहा	दुरटोली	481	00-06-00
रायगड	मानगाव	निजामपुर	73	00-14-00
रायगड	मानगाव	लोनेरे	137/1	00-01-50
			112/2ए	00-05-00
			112/2बी	
			125/2बी	00-07-20
रायगड	महाड	खैरे	6/3ए	
				00-06-00
			6/3बी	
			6/4ए	
				00-07-00
			6/4बी+6	
			6/1	00-05-00
			6/5	00-01-00
			6/7	00-04-00

[फा. सं. एल-14014/12/06-जी.पी. (भाग-VI)]

एस. बी. मण्डल, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 15th September, 2006

S.O. 3801.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of natural gas through Dahej-Hazira-Uran and its spur pipeline (Panvel-Dabhol section) in the State of Maharashtra, a pipeline should be laid by the GAIL (India) Limited;

And, whereas it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the notification issued under Sub-section (1) of Section 3 of the said Act, as published in the Gazette of India are made available to the general public, object in writing to the laying of the pipeline under the land to Shri K.N. Kashivale, Competent Authority, GAIL (India) Limited, GAIL Ashiyana Building, Sector 8B, 3D2, C.B.D., Belapur, Navi Mumbai - 400614 (Maharashtra).

SCHEDULE

District	Taluka	Village	Survey No.	Area to be acquired for ROU (in Hect.)
1	2	3	4	5
Raigad	Khalapur	Vadaval	70/7	00-27-00
Raigad	Khalapur	Dhamani	62/3	00-16-00
Raigad	Khalapur	Sarang	55/2	00-06-00
			35/3	00-09-00
Raigad	Khalapur	Dharni	38	00-29-00
Raigad	Khalapur	Lodivali	97/13	00-03-00
			88/1	00-61-00
Raigad	Khalapur	Dahiwali	25	00-09-00
Raigad	Khalapur	Nimbode	62/8	00-29-00
Raigad	Khalapur	Asroti	63/4	00-16-00
			63/6	00-02-00
			63/7	00-17-00
			52/3	00-12-00

1	2	3	4	5
Raigad	Khalapur	Khambe-wadi	36/4	00-14-00
Raigad	Khalapur	Nigdoli	100/9	00-21-00
Raigad	Kalapur	Kargaon	94	00-90-00
			54	00-01-00
Raigad	Sudhagad	Karchunde	4	00-01-00
Raigad	Sudhagad	Adulse	13	00-13-00
Raigad	Sudhagad	Kasarwadi	36	00-28-00
Raigad	Sudhagad	Jambulpada	8	00-43-00
Raigad	Panvel	Bhokarpada	61/1	00-32-00
Raigad	Panvel	Poyanje	83/5	00-07-00
Raigad	Panvel	Shedunge	118	00-12-00
Raigad	Panvel	Chikhale	59/5	00-05-00
			60/5	00-04-00
Raigad	Roha	Bale	59	00-25-00
			69	00-10-00
Raigad	Roha	Durtoli	481	00-06-00
Raigad	Mangaon	Nizampur	73	00-14-00
Raigad	Mangaon	Lonere	137/1	00-01-50
			112/2A	
				00-05-00
			112/2B	
			125/2B	00-07-20
Raigad	Mahad	Khaire	6/3A	00-06-00
			6/3B	
			6/4A	00-07-00
			6/4B+6	
			6/1	00-05-00
			6/5	00-01-00
			6/7	00-04-00

[F. No. L-14014/12/06-G.P. (Part-VI)]

S. B. MANDAL, Under Secy.

नई दिल्ली, 15 सितम्बर 2006

का.आ. 3802.-केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि महाराष्ट्र राज्य में दहेज-हजिरा-उरान

एवं स्पूर पाइपलाइन (पनवेल-दाभोल सेक्सन) द्वारा प्राकृतिक गैस के परिवहन के लिए गेल (इण्डिया) लिमिटेड द्वारा, एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उप-धारा (1) के अधीन भारत के रापजत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के संबंध में, श्री के. एन. कशिवले, सक्षम प्राधिकारी, गेल (इण्डिया) लिमिटेड, गेल आशियाना भवन, सेक्टर 8बी, 3डी2, सी.बी.डी., बेलपुर, नवी मुम्बई-40614 (महाराष्ट्र) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

जिला	तहसील	गाँव	सर्वे नं.	आर.ओ.यू. अर्जित करने के लिए क्षेत्रफल (हेक्ट. में)
1	2	3	4	5
रत्नागिरी	मंडनगड	विन्हे	128/11	00-02-00
रत्नागिरी	मंडनगड	वालोटे	179/3बी	00-03-00
रत्नागिरी	मंडनगड	कुडक	878	00-22-00
रत्नागिरी	मंडनगड	तिडे	164/1	00-01-00
			10/1	00-09-00
			9/1ए	
			9/1बी	00-06-00
			9/2	
			165/1 से 6	00-17-00
			53/1 से 21	00-29-00

[फा. सं. एल-14014/12/06-जी.पी. (भाग-V)]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 15th September, 2006

S.O. 3802.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of natural gas through Dahej-Hazira-Uran and its spur pipeline (Panvel-Dabhol section) in the State of Maharashtra, a pipeline should be laid by the GAIL (India) Limited;

And, whereas it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the notification issued under sub-section (1) of Section 3 of the said Act, as published in the Gazette of India are made available to the general public, object in writing to the laying of the pipeline under the land to Shri K.N. Kashivale, Competent Authority, GAIL (India) Limited, GAIL Ashiyana Building, Sector 8B, 3D2, C.B.D., Belapur, Navi Mumbai - 400614 (Maharashtra).

SCHEDULE

District	Taluka	Village	Survey No.	Area to be acquired for ROU (in Hect.)
1	2	3	4	5
Ratnagiri	Mandangad	Vinhe	128/11.	00-02-00
Ratnagiri	Mandangad	Valote	179/3B	00-03-00
Ratnagiri	Mandangad	Kuduk	878	00-22-00
Ratnagiri	Mandangad	Tide	164/1	00-01-00
			10/1	00-09-00
			9/1A	
			9/1B	00-06-00
			9/2	
			165/1 to 6	00-17-00
			53/1 to 21	00-29-00

[F. No. L-14014/12/06-G.P. (Part-V)]

S. B. MANDAL, Under Secy.

नई दिल्ली, 18 सितम्बर, 2006

का. आ. 3803.— केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि महाराष्ट्र राज्य में लोनी (पुणे) से पकनी (सोलापुर) तक हजारवाडी के रास्ते पेट्रोलियम उत्पादों के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में जो इस से उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री . संजीव जाधव , सक्षम प्राधिकारी, मुम्बई-पुणे पाइपलाइन विस्तार परियोजना (लोनी से पकनी तक हजारवाडी के रास्ते), हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, मेगा सेंटर, मगरपट्टा - एम व एन विंग, हादापसर - 411 028 (पुणे जिला) , महाराष्ट्र को लिखित रूप में आक्षेप भेज सकेगा ।

अनुसूची							
तालुका : कडेगाँव			जिला : सांगली		राज्य : महाराष्ट्र		
क्रम सं.	गाव का नाम	सर्वे नंबर	गट नंबर	उप-खण्ड संख्या	क्षेत्रफल		
1	2	3	4	5	हेक्टर	एयर	वर्ग मीटर
1	तोंडाली		401		00	12	50
			400		00	02	71
			375		00	02	18
			392		00	01	68
			596		00	09	84
				कुल	00	28	91
2	अमरापुर		905		00	24	66
				कुल	00	24	66
3	येवलेवाडी		256	6	00	04	00
				कुल	00	04	00
4	शिवणी		214		00	06	89
				कुल	00	06	89

1	2	3	4	5	6	7	8
8	कडिये राखणा		1261		00	02	69
			1260		00	01	35
			1236		00	12	48
			1117		00	08	93
			1114		00	03	78
			1113		00	06	12
			1111		00	01	67
			1118		00	15	64
				कुल	00	52	66
8	तेतकवाव		389		00	03	70
				कुल	00	03	70

New Delhi, the 18th September, 2006

[फा. सं. आर-31015/29/2004 ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

S. O. 3893.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Loni (Pune) to Pakni (Solapur) via Hazarwadi in the State of Maharashtra, an extension pipeline should be laid by Hindustan Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, It is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Sanjeev Jadhav, Competent Authority, Mumbai-Pune Pipeline Extension Project (from Loni to Pakni via Hazarwadi), Hindustan Petroleum Corporation Limited, Mega Center, Magerpatta - M & N Wing, Hadapsar - 411 028 (Pune District), Maharashtra.

SCHEDULE

Taluka : KADEGAON			District : SANGLI		State : MAHARASHTRA		
Sr. No.	Name of the Village	Survey No.	Gat No.	Sub-Division No.	Area		
					Hectare	Acre	Sq.mt
1	2	3	4	5	6	7	8
1	TONDOLI		401		00	12	50
			400		00	02	71
			375		00	02	18
			392		00	01	68
			596		00	09	84
			Total		00	28	91
2	AMRAPUR		905		00	24	66
			Total		00	24	66
3	YEVELEVADI		256	6	00	04	00
			Total		00	04	00
4	SHIVNI		214		00	06	89
			Total		00	06	89
5	VADIYE RAYBAGH		1261		00	02	69
			1260		00	01	35
			1236		00	12	48
			1117		00	08	93
			1114		00	03	78
			1113		00	06	12
			1111		00	01	67
			1118		00	15	64
			Total		00	52	66
6	SHELEGBAV		389		00	03	70
			Total		00	03	70

(F. No. R-31015/29/2004-O.R.-II)

A. GOSWAMI, Under Secy.

नई दिल्ली, 18 सितम्बर, 2006

का. आ. 3804.— केन्द्रीय सरकार को लोक हित में यह आवश्यक प्रतीत होता है कि उत्तरप्रदेश राज्य में दादरी से हरियाणा राज्य में पानीपत तक, प्राकृतिक गैस के परिवहन के लिए इण्डियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा “आर.-एल.एन.जी. ग्वा पाइपलाइन” के कार्यान्वयन हेतु एक शाखा पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उक्त भूमि में, जो इस अधिसूचना से मंगल अनुसूची में वर्णित है और जिसमें पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन विछाने के संबंध में श्री वीरेन्द्र कुमार गुप्ता, वरिष्ठ भूमि अर्जन अधिकारी / सक्षम प्राधिकारी, इण्डियन ऑयल कॉर्पोरेशन लिमिटेड, आर-2/18, राज नगर, गाज़ियाबाद (उत्तर प्रदेश) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : मोदीनगर	जिला : गाज़ियाबाद	राज्य : उत्तर प्रदेश		
गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
1. महीउद्दीनपुर हिंसाली	405	0	06	95
	403	0	00	30
	396	0	19	04
	402	0	17	46
	398	0	00	20
	401	0	10	69
	415	0	11	40
	388	0	03	03
	416	0	11	76
	387	0	04	39
	386	0	13	19
	385	0	23	88
2. वसन्तपुर सैतली	770	0	04	72
	769	0	02	85
	768	0	02	14
	766	0	26	37
	736	0	09	09
	764	0	14	28
	763	0	05	18
	760	0	03	39
	759	0	04	12
	755	0	05	99
	754	0	00	71
	744	0	07	13
	747	0	02	38
	746	0	04	90
	737	0	04	36
	740	0	07	23

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	741	0	06	89
	745	0	06	51
	653	0	02	85
	652	0	02	14
	651	0	02	14
	614	0	49	64
	615	0	22	28
	586	0	00	36
	585	0	00	89
	325	0	15	14
	327	0	27	09
	329	0	28	51
	330	0	20	67
	331	0	00	36
	333	0	04	63
	334	0	09	27
	335	0	00	53
	351	0	00	36
	350	0	19	07
	352	0	06	42
	353	0	11	41
	354	0	00	53
	355	0	00	53
	358	0	11	76
	360	0	03	75
	361	0	16	93
	362	0	00	36
	559	0	02	50
	558	0	00	89
	557	0	00	89
	538	0	00	53
	479	0	10	69
	478	0	03	80
	480	0	00	63
	481	0	00	95
	520	0	00	53
	521	0	00	48

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	511	0	02	77
	512	0	06	95
	513	0	01	39
	510	0	00	36
	491	0	05	97
	492	0	02	52
	489	0	00	36
	488	0	00	53
	482	0	12	47
	468	0	00	36
	467	0	00	89
	470	0	00	20
	405	0	04	10
	404	0	01	03
	403	0	01	54
	402	0	19	27
	401	0	01	29
	395	0	31	01
	396	0	14	08
	388	0	03	17
	385	0	21	74
	386	0	01	43
3. नवीपुर	297	0	17	02
	298	0	12	83
	299	0	08	87
	300	0	01	07
	301	0	00	79
	302	0	00	79
	303	0	00	83
	304	0	00	59
	276	0	00	36
	275	0	00	89
	244/541	0	09	27
	241	0	03	56

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	245	0	21	02
	246	0	01	19
	247	0	00	79
	240	0	00	24
	250	0	01	19
	248	0	10	69
	249	0	06	95
	343	0	00	40
	344	0	00	89
	203	0	12	47
	204	0	30	03
	205	0	02	85
	191	0	00	53
	181	0	22	81
	182	0	03	97
	159	0	04	28
	88	0	57	74
	80	0	02	61
	74	0	00	53
4. मिलाक चाकरपुर	341	0	12	65
	323	0	01	43
	269	0	10	34
	268	0	34	39
	270	0	01	03
	271	0	01	54
	267	0	00	20
	279	0	20	49
	280	0	16	67
	281	0	02	49
	288	0	00	53
	289	0	00	98
	290	0	06	86
	291	0	07	84
	292	0	07	84

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	293	0	07	84
	294	0	07	13
	295	0	13	85
	297	0	00	62
	298	0	00	71
	299	0	03	80
	300	0	00	71
	301	0	18	71
	243	0	00	71
	50	0	15	33
	49	0	10	69
	47	0	00	20
	46	0	05	94
	45	0	03	36
	44	0	00	59
	40	0	09	62
	41	0	00	53
	42	0	00	89
	39	0	06	28
	38	0	00	71
	37	0	00	53
	33	0	02	38
	16	0	01	54
	9	0	11	12
	8	0	08	55
	7	0	03	56
	6	0	04	28
	5	0	13	54
	4	0	07	66
	3	0	04	63
	1	0	00	89
5. किशनचन्दपुर पट्टी	47	0	08	28
	46	0	01	32
	44	0	00	88

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	43	0	06	12
	42	0	22	86
	41	0	08	64
	40	0	00	54
	39	0	02	64
	38	0	00	63
	36	0	00	40
	35	0	17	64
	34	0	00	18
	33	0	00	72
	26	0	09	54
	22	0	01	04
	23	0	01	56
	21	0	30	60
	16	0	00	88
	17	0	26	10
	15	0	00	20
	18	0	00	54
	19	0	00	36
6. मानौली	392	0	00	89
	393	0	01	07
	394	0	01	39
	395	0	00	48
	391	0	01	78
	390	0	00	20
	389	0	04	60
	388	0	06	47
	387	0	07	31
	386	0	01	07
	385	0	00	71
	384	0	01	25
	383	0	01	25
	381	0	14	61
	380	0	00	36

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
7. सुल्ताननगर छज्जपुर	379	0	02	87
	616	0	00	20
	617	0	17	86
	612	0	05	22
	611	0	17	69
	606	0	00	53
	595	0	04	83
	594	0	02	38
	592/663	0	00	53
	592	0	12	83
	591	0	11	58
	618	0	00	20
	278	0	00	53
	289	0	22	10
	290	0	00	27
	291	0	00	89
	295	0	18	53
	294	0	10	34
	561	0	01	43
	424	0	00	20
	382	0	07	67
	383	0	02	23
	384	0	03	21
	385	0	02	22
	380	0	00	65
	386	0	00	20
	379	0	02	19
	378	0	01	66
	376	0	03	21
	375	0	07	72
	374	0	08	38
	372	0	04	95
	371	0	03	47
	363	0	02	08

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
8. हुसैनपुर	368	0	00	79
	367	0	10	89
	392	0	02	13
	309	0	00	53
	311	0	01	72
	310	0	05	33
	312	0	00	48
	307	0	01	80
	306	0	00	83
	305	0	02	67
	313	0	06	53
	319	0	07	13
	318	0	01	29
	320	0	05	35
	321	0	07	66
	322	0	25	66
	323	0	01	27
	324	0	19	58
	328	0	00	59
	329	0	03	02
	330/722	0	00	36
	331	0	00	53
	332	0	19	25
	334	0	00	53
	342	0	00	20
	341	0	09	72
	340	0	02	97
	345	0	07	13
	339/707	0	01	90
	339	0	16	57
	352	0	00	53
	354	0	28	51
	360	0	13	54
	361	0	00	71

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	366	0	09	27
	364	0	00	53
	365	0	09	52
	363	0	00	27
9. रुहेलापुर	699	0	00	54
	681	0	11	34
	609	0	01	56
	552	0	00	70
	553	0	11	34
	554	0	01	98
	555	0	03	24
	557	0	03	60
	558	0	06	48
	559	0	06	48
	560	0	00	54
	561	0	00	36
	566	0	00	20
	568	0	10	08
	567	0	04	50
	572	0	00	54
	573	0	06	66
	574	0	11	34
	575	0	01	20
	493	0	00	42
	492	0	00	54
	491	0	14	22
	490	0	00	54
	480	0	00	90
	489	0	02	97
	488	0	00	90
	487	0	00	20
	477	0	12	18
	478	0	00	54
	476	0	01	08

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	479	0	02	24
	463	0	05	94
	464	0	00	20
	465	0	00	20
	462	0	00	36
	1	0	00	72
10. बिहँग	471	0	01	78
	472	0	00	36
	494	0	05	52
	484	0	00	20
	493	0	12	30
	492	0	04	99
	495	0	00	36
	496	0	00	36
	509	0	00	20
	510	0	00	20
	511	0	00	20
	512	0	05	46
	513	0	04	36
	516	0	01	48
	514	0	01	42
	515	0	08	28
	518	0	00	20
	524	0	08	17
	523	0	00	20
	525	0	00	72
	521	0	00	49
	526	0	00	48
	527	0	07	72
	531	0	00	63
	532	0	00	53
	574	0	00	36
	577	0	00	30
	576	0	00	36

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	575	0	15	21
	573	0	02	06
	568	0	23	82
	567	0	00	36
	566	0	00	89
	565	0	02	32
	559	0	01	68
	560	0	04	01
	561	0	11	68
	562	0	00	36
	563	0	00	20
	557	0	00	98
11. नेकपुर सावितनगर	1950	0	00	53
	1949	0	29	39
	1943	0	00	53
	1903	0	11	58
	1939	0	43	48
	1878	0	00	53
	1877	0	00	36
	1832	0	07	31
	1838	0	00	22
	1839	0	00	30
	1841	0	00	59
	1829	0	00	20
	1833	0	04	12
	1826	0	06	42
	1816	0	04	63
	1812	0	00	40
	1811	0	04	79
	1810	0	06	92
	1808	0	00	20
	1802	0	00	53
	1803	0	00	36
	1799	0	06	06

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	1737	0	03	48
	1798	0	03	80
	1794	0	06	42
	1795	0	03	30
	1787	0	19	25
	1879	0	00	71
	1880	0	00	89
	1301	0	05	17
	1302	0	00	89
	1305	0	03	08
	1308	0	00	20
	1306	0	01	58
	1307	0	02	77
	1309	0	02	38
	1310	0	02	38
	1311	0	08	38
	1312	0	02	77
	1318	0	02	61
	1745	0	00	20
	1439	0	00	89
	1744	0	05	88
	1741	0	08	91
	1740	0	03	92
	1739	0	04	90
	1738	0	04	37
	1737	0	05	35
	1736	0	02	85
	1724	0	00	71
	1721/2093	0	00	79
	1688	0	00	71
	1687	0	00	71
	1685	0	00	35
	1686	0	20	67
	1445	0	00	71

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	111	0	10	69
	141	0	00	89
	142	0	29	22
	143	0	11	23
	150	0	00	71
	137	0	00	36
	136	0	02	36
	182	0	01	74
	180	0	00	89
	181	0	00	89
	178	0	22	45
	179	0	23	52
	351	0	04	44
	352	0	02	57
	350	0	06	06
	320	0	04	45
	321	0	05	52
	347	0	01	38
	348	0	01	43
	346	0	03	56
	345	0	06	75
	344	0	00	20
	331	0	05	29
	333	0	02	91
	334	0	00	25
	332	0	03	21
	474	0	07	48
	473	0	09	71
	472	0	10	34
	470	0	07	66
	469	0	00	20
	502	0	13	72
	503	0	20	67
	517	0	17	28

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	523	0	10	04
	526	0	00	30
	524	0	08	55
	521	0	00	59
	531	0	01	30
	530	0	07	48
	533	0	02	02
	534	0	18	35
	535	0	00	99
	532	0	01	19
	1721	0	56	61

[फा. सं. एल-14014/29/2006-जी.पी.]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 18th September, 2006

S. O. 3804.—Whereas, it appears to the Central Government, that it is necessary in the public interest that for the transportation of Natural Gas from Dadri in the State of Uttar Pradesh to Panipat in the State of Haryana, " R-LNG Spur pipeline from Dadri to Panipat ", should be laid by the Indian Oil Corporation Limited;

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may, within twenty one days from the date on which the copies of this notification issued under sub-section(1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land, to Shri Birendra Kumar Gupta, Sr. Land Acquisition Officer/ Competent Authority, Indian Oil Corporation Limited, R - 2/18 Raj Nagar Ghaziabad, (Uttar Pradesh).

SCHEDULE

Tehsil : Modinagar	District : Ghaziabad	State : Uttar Pradesh		
Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
1. MOHIUDDINPUR HISALI	405	0	06	95
	403	0	00	30
	396	0	19	04
	402	0	17	46
	398	0	00	20
	401	0	10	69
	415	0	11	40
	388	0	03	03
	416	0	11	76
	387	0	04	39
	386	0	13	19
	385	0	23	88
	770	0	04	72
	769	0	02	85
	768	0	02	14
2. BASANTPUR SAINTLI	766	0	26	37
	736	0	09	09
	764	0	14	28
	763	0	05	18
	760	0	03	39
	759	0	04	12
	755	0	05	99
	754	0	00	71
	744	0	07	13
	747	0	02	38
	746	0	04	90
	737	0	04	36
	740	0	07	23
	741	0	06	89
	745	0	06	51
	653	0	02	85

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	652	0	02	14
	651	0	02	14
	614	0	49	64
	615	0	22	28
	586	0	00	36
	585	0	00	89
	325	0	15	14
	327	0	27	09
	329	0	28	51
	330	0	20	67
	331	0	00	36
	333	0	04	63
	334	0	09	27
	335	0	00	53
	351	0	00	36
	350	0	19	07
	352	0	06	42
	353	0	11	41
	354	0	00	53
	355	0	00	53
	358	0	11	76
	360	0	03	75
	361	0	16	93
	362	0	00	36
	559	0	02	50
	558	0	00	89
	557	0	00	89
	538	0	00	53
	479	0	10	69
	478	0	03	80
	480	0	00	63
	481	0	00	95
	520	0	00	53
	521	0	00	41

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	511	0	02	77
	512	0	06	95
	513	0	01	39
	510	0	00	36
	491	0	05	97
	492	0	02	52
	489	0	00	36
	488	0	00	53
	482	0	12	47
	468	0	00	36
	467	0	00	89
	470	0	00	20
	405	0	04	10
	404	0	01	03
	403	0	01	54
	402	0	19	27
	401	0	01	29
	395	0	31	01
	396	0	14	08
	388	0	03	17
	385	0	21	74
	386	0	01	43
3. NABIPUR	297	0	17	02
	298	0	12	83
	299	0	08	87
	300	0	01	07
	301	0	00	79
	302	0	00	79
	303	0	00	83
	304	0	00	59
	276	0	00	36
	275	0	00	89
	244/541	0	09	27
	241	0	03	56

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	245	0	21	02
	246	0	01	19
	247	0	00	79
	240	0	00	24
	250	0	01	19
	248	0	10	69
	249	0	06	95
	343	0	00	40
	344	0	00	89
	203	0	12	47
	204	0	30	03
	205	0	02	85
	191	0	00	53
	181	0	22	81
	182	0	03	97
	159	0	04	28
	88	0	57	74
	80	0	02	61
	74	0	00	53
4. MILAK CHAKARPUR	341	0	12	65
	323	0	01	43
	269	0	10	34
	268	0	34	39
	270	0	01	03
	271	0	01	54
	267	0	00	20
	279	0	20	49
	280	0	16	67
	281	0	02	49
	288	0	00	53
	289	0	00	98
	290	0	06	86
	291	0	07	84
	292	0	07	84

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	293	0	07	84
	294	0	07	13
	295	0	13	85
	297	0	00	62
	298	0	00	71
	299	0	03	80
	300	0	00	71
	301	0	18	71
	243	0	00	71
	50	0	15	33
	49	0	10	69
	47	0	00	20
	46	0	05	94
	45	0	03	36
	44	0	00	59
	40	0	09	62
	41	0	00	53
	42	0	00	89
	39	0	06	28
	38	0	00	71
	37	0	00	53
	33	0	02	38
	16	0	01	54
	9	0	11	12
	8	0	08	55
	7	0	03	56
	6	0	04	28
	5	0	13	54
	4	0	07	66
	3	0	04	63
	1	0	00	89
5. KISHAN CHANDPUR PATTI	47	0	08	28
	46	0	01	32
	44	0	00	88

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	43	0	06	12
	42	0	22	86
	41	0	08	64
	40	0	00	54
	39	0	02	64
	38	0	00	63
	36	0	00	40
	35	0	17	64
	34	0	00	18
	33	0	00	72
	26	0	09	54
	22	0	01	04
	23	0	01	56
	21	0	30	60
	16	0	00	88
	17	0	26	10
	15	0	00	20
	18	0	00	54
	19	0	00	36
6. MANAULI	392	0	00	89
	393	0	01	07
	394	0	01	39
	395	0	00	48
	391	0	01	78
	390	0	00	20
	389	0	04	60
	388	0	06	47
	387	0	07	31
	386	0	01	07
	385	0	00	71
	384	0	01	25
	383	0	01	25
	381	0	14	61
	380	0	00	36

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	379	0	02	87
7. SULTANNAGAR CHAJJUPUR	616	0	00	20
	617	0	17	86
	612	0	05	22
	611	0	17	69
	606	0	00	53
	595	0	04	83
	594	0	02	38
	592/663	0	00	53
	592	0	12	83
	591	0	11	58
	618	0	00	20
	278	0	00	53
	289	0	22	10
	290	0	00	27
	291	0	00	89
	295	0	18	53
	294	0	10	34
	561	0	01	43
	424	0	00	20
	382	0	07	67
	383	0	02	23
	384	0	03	21
	385	0	02	22
	380	0	00	65
	386	0	00	20
	379	0	02	19
	378	0	01	66
	376	0	03	21
	375	0	07	72
	374	0	08	38
	372	0	04	95
	371	0	03	47
	363	0	02	08

Name of Village.	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
8. HUSAINPUR	368	0	00	79
	367	0	10	89
	392	0	02	13
	309	0	00	53
	311	0	01	72
	310	0	05	33
	312	0	00	48
	307	0	01	80
	306	0	00	83
	305	0	02	67
	313	0	06	53
	319	0	07	13
	318	0	01	29
	320	0	05	35
	321	0	07	66
	322	0	25	66
	323	0	01	27
	324	0	19	58
	328	0	00	59
	329	0	03	02
	330/722	0	00	36
	331	0	00	53
	332	0	19	25
	334	0	00	53
	342	0	00	20
	341	0	09	72
	340	0	02	97
	345	0	07	13
	339/707	0	01	90
	339	0	16	57
	352	0	00	53
	354	0	28	51
	360	0	13	54
	361	0	00	71

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	366	0	09	27
	364	0	00	53
	365	0	09	52
	363	0	00	27
9. ROHILLAPUR	699	0	00	54
	681	0	11	34
	609	0	01	56
	552	0	00	70
	553	0	11	34
	554	0	01	98
	555	0	03	24
	557	0	03	60
	558	0	06	48
	559	0	06	48
	560	0	00	54
	561	0	00	36
	566	0	00	20
	568	0	10	08
	567	0	04	50
	572	0	00	54
	573	0	06	66
	574	0	11	34
	575	0	01	20
	493	0	00	42
	492	0	00	54
	491	0	14	22
	490	0	00	54
	480	0	00	90
	489	0	02	97
	488	0	00	90
	487	0	00	20
	477	0	12	18
	478	0	00	54
	476	0	01	08

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	479	0	02	24
	463	0	05	94
	464	0	00	20
	465	0	00	20
	462	0	00	36
	1	0	00	72
10. BIHANG	471	0	01	78
	472	0	00	36
	494	0	05	52
	484	0	00	20
	493	0	12	30
	492	0	04	99
	495	0	00	36
	496	0	00	36
	509	0	00	20
	510	0	00	20
	511	0	00	20
	512	0	05	46
	513	0	04	36
	516	0	01	48
	514	0	01	42
	515	0	08	28
	518	0	00	20
	524	0	08	17
	523	0	00	20
	525	0	00	72
	521	0	00	49
	526	0	00	48
	527	0	07	72
	531	0	00	63
	532	0	00	53
	574	0	00	36
	577	0	00	20
	576	0	00	20

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	575	0	15	21
	573	0	02	06
	568	0	23	82
	567	0	00	36
	566	0	00	89
	565	0	02	32
	559	0	01	68
	560	0	04	01
	561	0	11	68
	562	0	00	36
	563	0	00	20
	557	0	00	98
11. NEKHPUR SABIT NAGAR	1950	0	00	53
	1949	0	29	39
	1943	0	00	53
	1903	0	11	58
	1939	0	43	48
	1878	0	00	53
	1877	0	00	36
	1832	0	07	31
	1838	0	00	22
	1839	0	00	30
	1841	0	00	59
	1829	0	00	20
	1833	0	04	12
	1826	0	06	42
	1816	0	04	63
	1812	0	00	40
	1811	0	04	79
	1810	0	06	92
	1808	0	00	20
	1802	0	00	53
	1803	0	00	36
	1799	0	06	06

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	1737	0	03	48
	1798	0	03	80
	1794	0	06	42
	1795	0	03	30
	1787	0	19	25
	1879	0	00	71
	1880	0	00	89
	1301	0	05	17
	1302	0	00	89
	1305	0	03	08
	1308	0	00	20
	1306	0	01	58
	1307	0	02	77
	1309	0	02	38
	1310	0	02	38
	1311	0	08	38
	1312	0	02	77
	1318	0	02	61
	1745	0	00	20
	1439	0	00	89
	1744	0	05	88
	1741	0	08	91
	1740	0	03	92
	1739	0	04	90
	1738	0	04	37
	1737	0	05	35
	1736	0	02	85
	1724	0	00	71
	1721/2093	0	00	79
	1688	0	00	71
	1687	0	00	71
	1685	0	00	35
	1686	0	20	67
	1445	0	00	71

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	111	0	10	69
	141	0	00	89
	142	0	29	22
	143	0	11	23
	150	0	00	71
	137	0	00	36
	136	0	02	36
	182	0	01	74
	180	0	00	89
	181	0	00	89
	178	0	22	45
	179	0	23	52
	351	0	04	44
	352	0	02	57
	350	0	06	06
	320	0	04	45
	321	0	05	52
	347	0	01	38
	348	0	01	43
	346	0	03	56
	345	0	06	75
	344	0	00	20
	331	0	05	29
	333	0	02	91
	334	0	00	25
	332	0	03	21
	474	0	07	48
	473	0	09	71
	472	0	10	34
	470	0	07	66
	469	0	00	20
	502	0	13	72
	503	0	20	67
	517	0	17	28

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	523	0	10	04
	526	0	00	30
	524	0	08	55
	521	0	00	59
	531	0	01	30
	530	0	07	48
	533	0	02	02
	534	0	18	35
	535	0	00	99
	532	0	01	19
	1721	0	56	61

[F. No. L-14014/29/2006-G.P.]
S.B MANDAL, Under Secy.

नई दिल्ली, 18 सितम्बर, 2006

का. आ. 3805.— केन्द्रीय सरकार को लोक हित में यह आवश्यक प्रतीत होता है कि उत्तरप्रदेश राज्य में दादरी में हरियाणा राज्य में पानीपत तक, प्राकृतिक गैस के परिवहन के लिए इण्डियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा “आर.-एल.एन.जी. स्पर पाइपलाइन” के कार्यान्वयन हेतु एक शाखा पाइपलाइन विछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उक्त भूमि में, जो इस अधिमूचना में संलग्न अनुसूची में वर्णित है और जिसमें पाइपलाइन विछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिमूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन विछाने के संबंध में श्री वीरेन्द्र कुमार गुप्ता, वरिष्ठ भूमि अर्जन अधिकारी / सक्षम प्राधिकारी, इण्डियन ऑयल कॉर्पोरेशन लिमिटेड, आर-2/18, राज नगर, गाज़ियाबाद (उत्तर प्रदेश) को लिखित रूप में संक्षेप भेज सकेगा।

अनुसूची

तहसील : गाज़ियाबाद	जिला : गाज़ियाबाद	राज्य : उत्तर प्रदेश		
गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
1. सादतनगर इकला	385	0	00	20
	351	0	00	20
	350	0	00	20
	349	0	14	26
	339	0	00	71
	338	0	13	90
	337	0	03	32
	336	0	00	48
	334	0	00	36
	333	0	00	53
	331	0	12	11
	332	0	05	70
	309	0	00	71
	328	0	00	36
	308	0	01	78
	310	0	25	38
	302	0	48	37
	297	0	00	20
	298	0	05	70
	301	0	06	05
	299	0	05	35
2. डासना	4356	0	12	96
	4353	0	11	52
	4352	0	03	20
	4350	0	07	64
	4351	0	00	48
	4348	0	07	56
	4349	0	06	12
	4347	0	10	44
	4345	0	01	92

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	4183	0	00	72
	4182	0	02	16
	4181	0	00	84
	4121	0	20	52
	4120	0	06	12
	4113	0	15	84
	4112	0	12	24
	4114	0	11	88
	4105	0	00	72
	4103	0	04	20
	4102	0	10	62
	4101	0	01	20
	4097	0	03	78
	4099	0	00	72
	4100	0	07	56
	4098	0	02	10
	4048	0	02	16
	4046	0	00	90
	4009	0	00	54
	4010	0	00	36
	4007	0	24	12
	4008	0	23	94
	4005	0	00	54
	4003	0	13	32
	4002	0	08	28
	4001	0	00	20
	3995	0	00	72
	3996	0	00	36
	3991	0	16	92
	3992	0	10	80
	3993	0	00	90
	3989	0	02	10
	3987	0	09	90

गाँव का नाम .	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	3953	0	01	98
	3943	0	23	40
	3945	0	01	08
	3946	0	20	88
	3948	0	00	20
	3949	0	05	76
	3950	0	18	72
	3952	0	01	44
	3844	0	00	90
	3845	0	03	36
	3846/4400	0	01	68
	3847	0	18	90
	3848	0	05	76
	3849	0	01	08
	3824	0	00	72
	3823	0	11	88
	3846	0	07	92
	3924	0	02	16
	3925	0	01	26
	3926	0	01	44
	993	0	28	80
	1106	0	04	32
	1099	0	00	30
	1100	0	05	40
	1096	0	04	68
	1095	0	13	32
	1113	0	03	24
	1119	0	04	68
	1117	0	17	64
	1122	0	00	36
	1123	0	00	36
	1124	0	00	54
	1125	0	00	40

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	1132	0	07	20
	1181	0	14	58
	1127	0	00	20
	1130	0	18	36
	1128	0	04	32
	1082	0	01	80
	1081	0	11	88
	1137	0	01	44
	1138	0	02	16
	1139	0	33	84
	1218	0	03	24
	1219	0	01	44
	1220	0	02	16
	1225	0	16	56
	1227	0	10	08
	1242	0	01	26
	1280	0	01	44
	1281	0	01	08
	130	0	12	96
	129	0	01	08
	132	0	02	16
	133	0	21	60
	134	0	16	92
	124	0	00	36
	123	0	00	54
	121	0	06	12
	122	0	00	72
	103	0	02	56
	104	0	11	88
	105	0	00	54
	106	0	00	54
	108	0	06	12
	107	0	09	96

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
3. रसूलपुर सिकरोड़	111	0	00	72
	460	0	18	08
	426	0	14	79
	427	0	28	51
	428	0	12	83
	431	0	00	20
	432	0	00	20
	425	0	00	71
	411	0	00	36
	410	0	10	69
	409	0	00	20
	406	0	25	30
	363	0	00	36
	364	0	00	71
	268	0	09	62
	269	0	02	61
	267	0	00	20
	270	0	11	94
	272	0	13	54
	274	0	00	40
	273	0	12	91
	277	0	00	27
	287	0	00	48
	265	0	00	71
	266	0	00	27
	248	0	02	40
	261	0	17	99
	262	0	05	07
	260	0	00	99
	263	0	03	56
	259	0	16	75
	258	0	00	36
	257	0	00	89

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
4. सदरपुर	910	0	00	20
	909	0	00	24
	908	0	13	36
	907	0	07	12
	905	0	01	96
5. मटियाला	633	0	28	27
	632	0	00	53
	635	0	02	93
	630	0	00	36
	629	0	24	94
	628	0	04	28
	627	0	17	71
	626	0	01	19
	636	0	05	35
	638	0	12	47
	637	0	00	71
	531	0	00	36
	530	0	09	43
	533	0	00	53
	540	0	22	10
	538	0	16	93
	537	0	01	11
	536	0	07	01
	542	0	00	36
	543	0	01	60
	535	0	00	53
	447	0	05	35
	436	0	09	98
	451	0	00	20
	448	0	00	53
	450	0	02	77
	449	0	00	77
	435	0	02	85

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	428	0	06	32
	429	0	02	18
	430	0	09	63
	431	0	12	83
	417	0	27	44
	349	0	04	63
	332	0	00	20
	333	0	02	49
	348	0	28	69
	355	0	00	36
	354	0	00	53
	361	0	25	83
	15	0	06	42
	55	0	06	88
	38	0	00	80
	40	0	11	40
	43	0	00	59
	42	0	05	51
	41	0	25	30
	35	0	02	85
	31	0	16	39
	30	0	06	73
	789	0	00	71
	788	0	00	95
	787	0	29	84
	786	0	15	32
	784	0	00	20
	783	0	01	68
	782	0	02	67
	686	0	07	12
	687	0	04	93
	688	0	00	42
	689	0	08	19

6. कनौजा

7. गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	673	0	21	20
	683	0	00	36
	736	0	00	36
	672	0	00	36
	670	0	12	83
	669	0	00	36
	665	0	24	94
	666	0	00	20
7. दुहाई	1489	0	01	63
	1482	0	07	12
	1481	0	00	19
	1480	0	03	48
	1479	0	07	48
	1478	0	17	99
	1468	0	27	08
	1467	0	00	89
	1465	0	19	50
	1460	0	01	43
	1457	0	10	52
	1455	0	00	20
	1456	0	11	04
	1452	0	01	37
	1450	0	00	24
	1451	0	10	40
	1449	0	01	43
	1434	0	02	37
	1433	0	03	20
	1432	0	02	31
	1437	0	02	85
	1430	0	13	18
	1421	0	06	05
	1427	0	03	16
	1422	0	16	75

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	1419	0	00	20
	1417	0	21	38
	1415	0	21	02

[फा. सं. एल-14014/29/2006-जी.पी.]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 18th September, 2006

S: O. 3805.—Whereas, it appears to the Central Government, that it is necessary in the public interest that for the transportation of Natural Gas from Dadri in the State of Uttar Pradesh to Panipat in the State of Haryana, " R-LNG Spur pipeline from Dadri to Panipat ". should be laid by the Indian Oil Corporation Limited;

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may, within twenty one days from the date on which the copies of this notification issued under sub-section(1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land, to Shri Birendra Kumar Gupta, Sr. Land Acquisition Officer/ Competent Authority, Indian Oil Corporation Limited, R - 2/18 Raj Nagar Ghaziabad. (Uttar Pradesh)

SCHEDULE

Tehsil : Ghaziabad	District: Ghaziabad	State: Uttar Pradesh		
Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
1. SAADATNAGAR IQLA	385	0	00	20
	351	0	00	20
	350	0	00	20
	349	0	14	26
	339	0	00	71
	338	0	13	90
	337	0	03	32
	336	0	00	48
	334	0	00	36
	333	0	00	53
	331	0	12	11
	332	0	05	70
	309	0	00	71
	328	0	00	36
	308	0	01	78
	310	0	25	38
	302	0	48	37
	297	0	00	20
	298	0	05	70
	301	0	06	05
	299	0	05	35
2. DASNA	4356	0	12	96
	4353	0	11	52
	4352	0	03	20
	4350	0	07	64
	4351	0	00	48
	4348	0	07	56
	4349	0	06	12
	4347	0	10	44
	4345	0	01	92

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	4183	0	00	72
	4182	0	02	16
	4181	0	00	84
	4121	0	20	52
	4120	0	06	12
	4113	0	15	84
	4112	0	12	24
	4114	0	11	88
	4105	0	00	72
	4103	0	04	20
	4102	0	10	62
	4101	0	01	20
	4097	0	03	78
	4099	0	00	72
	4100	0	07	56
	4098	0	02	10
	4048	0	02	16
	4046	0	00	90
	4009	0	00	54
	4010	0	00	36
	4007	0	24	12
	4008	0	23	94
	4005	0	00	54
	4003	0	13	32
	4002	0	08	28
	4001	0	00	20
	3995	0	00	72
	3996	0	00	36
	3991	0	16	92
	3992	0	10	80
	3993	0	00	90
	3989	0	02	10
	3987	0	09	90

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	3953	0	01	98
	3943	0	23	40
	3945	0	01	08
	3946	0	20	88
	3948	0	00	20
	3949	0	05	76
	3950	0	18	72
	3952	0	01	44
	3844	0	00	90
	3845	0	03	36
	3846/4400	0	01	68
	3847	0	18	90
	3848	0	05	76
	3849	0	01	08
	3824	0	00	72
	3823	0	11	88
	3846	0	07	92
	3924	0	02	16
	3925	0	01	26
	3926	0	01	44
	993	0	28	80
	1106	0	04	32
	1099	0	00	30
	1100	0	05	40
	1096	0	04	68
	1095	0	13	32
	1113	0	03	24
	1119	0	04	68
	1117	0	17	64
	1122	0	00	36
	1123	0	00	36
	1124	0	00	54
	1125	0	00	40

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	1132	0	07	20
	1181	0	14	58
	1127	0	00	20
	1130	0	18	36
	1128	0	04	32
	1082	0	01	80
	1081	0	11	88
	1137	0	01	44
	1138	0	02	16
	1139	0	33	84
	1218	0	03	24
	1219	0	01	44
	1220	0	02	16
	1225	0	16	56
	1227	0	10	08
	1242	0	01	26
	1280	0	01	44
	1281	0	01	08
	130	0	12	96
	129	0	01	08
	132	0	02	16
	133	0	21	60
	134	0	16	92
	124	0	00	36
	123	0	00	54
	121	0	06	12
	122	0	00	72
	103	0	02	56
	104	0	11	88
	105	0	00	54
	106	0	00	54
	108	0	06	12
	107	0	09	00

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	111	0	00	72
3. RASULPUR SIKRAUDA	460	0	18	08
	426	0	14	79
	427	0	28	51
	428	0	12	83
	431	0	00	20
	432	0	00	20
	425	0	00	71
	411	0	00	36
	410	0	10	69
	409	0	00	20
	406	0	25	30
	363	0	00	36
	364	0	00	71
	268	0	09	62
	269	0	02	61
	267	0	00	20
	270	0	11	94
	272	0	13	54
	274	0	00	40
	273	0	12	91
	277	0	00	27
	287	0	00	48
	265	0	00	71
	266	0	00	27
	248	0	02	40
	261	0	17	99
	262	0	05	07
	260	0	00	99
	263	0	03	56
	259	0	16	75
	258	0	00	36
	257	0	00	89

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
4. SADARPUR	910	0	00	20
	909	0	00	24
	908	0	13	36
	907	0	07	12
	905	0	01	96
5. MATIYALA	633	0	28	27
	632	0	00	53
	635	0	02	93
	630	0	00	36
	629	0	24	94
	628	0	04	28
	627	0	17	71
	626	0	01	19
	636	0	05	35
	638	0	12	47
	637	0	00	71
	531	0	00	36
	530	0	09	43
	533	0	00	53
	540	0	22	10
	538	0	16	93
	537	0	01	11
	536	0	07	01
	542	0	00	36
	543	0	01	60
	535	0	00	53
	447	0	05	35
	436	0	09	98
	451	0	00	20
	448	0	00	53
	450	0	02	77
	449	0	00	77
	435	0	02	85

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	428	0	06	32
	429	0	02	18
	430	0	09	63
	431	0	12	83
	417	0	27	44
	349	0	04	63
	332	0	00	20
	333	0	02	49
	348	0	28	69
	355	0	00	36
	354	0	00	53
	361	0	25	83
	15	0	06	42
	55	0	06	88
	38	0	00	80
	40	0	11	40
	43	0	00	59
	42	0	05	51
	41	0	25	30
	35	0	02	85
	31	0	16	39
	30	0	06	73
6. KANAUJA	789	0	00	71
	788	0	00	95
	787	0	29	84
	786	0	15	32
	784	0	00	20
	783	0	01	68
	782	0	02	67
	686	0	07	12
	687	0	04	93
	688	0	00	42
	689	0	08	19

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	673	0	21	20
	683	0	00	36
	736	0	00	36
	672	0	00	36
	670	0	12	83
	669	0	00	36
	665	0	24	94
	666	0	00	20
7. DUHAI	1489	0	01	63
	1482	0	07	12
	1481	0	00	19
	1480	0	03	48
	1479	0	07	48
	1478	0	17	99
	1468	0	27	08
	1467	0	00	89
	1465	0	19	50
	1460	0	01	43
	1457	0	10	52
	1455	0	00	20
	1456	0	11	04
	1452	0	01	37
	1450	0	00	24
	1451	0	10	40
	1449	0	01	43
	1434	0	02	37
	1433	0	03	20
	1432	0	02	31
	1437	0	02	85
	1430	0	13	18
	1421	0	06	05
	1427	0	03	16
	1422	0	16	75

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	1419	0	00	20
	1417	0	21	38
	1415	0	21	02

[F. No. L-14014/29/2006-G.P.]
S.B MANDAL, Under Secy.

नई दिल्ली, 18 सितम्बर, 2006

का. आ. 3806.—केन्द्रीय सरकार को लोक हित में यह आवश्यक प्रतीत होता है कि उत्तरप्रदेश राज्य में दादरी से हरियाणा राज्य में पानीपत तक, प्राकृतिक गैस के परिवहन के लिए इण्डियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा “आर.-एल.एन.जी. स्पर पाइपलाइन” के कार्यान्वयन हेतु एक शाखा पाइपलाइन विछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उक्त भूमि में, जो इस अधिसूचना से संलग्न अनुसूचि में वर्णित है और जिसमें पाइपलाइन विछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवन्ध है, उस तारीख से जिनको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन विछाने के संबंध में श्री वीरेन्द्र कुमार गुप्ता, वरिष्ठ भूमि अर्जन अधिकारी / सक्षम प्राधिकारी, इण्डियन ऑयल कॉर्पोरेशन लिमिटेड, आर -2/18, राज नगर, गाज़ियाबाद (उत्तर प्रदेश), को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : बड़ौत	जिला : बागपत	राज्य : उत्तर प्रदेश		
गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
1. ढिकाना	559	0	26	37
	560	0	06	50
	561	0	00	20
	556	0	04	99
	562	0	04	01
	567	0	03	88
	573	0	00	62
	566	0	35	90
	568	0	03	90
	569	0	00	55
	580	0	00	89
	581	0	00	71
	583	0	29	94
	582	0	00	20
	587	0	00	71
	604	0	02	14
	647	0	11	23
	648	0	01	07
	645	0	01	25
	649	0	04	28
	650	0	20	67
	653	0	24	24
	655	0	11	40
	665	0	00	89
	692	0	19	78
	693	0	28	16
	680	0	00	71
	501	0	01	78
	500	0	01	07
	499	0	01	07
	498	0	03	92

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
2. लुहारी	18	0	06	95
	19	0	15	50
	20	0	07	13
	21	0	12	47
	24	0	00	71
	25	0	15	68
	261	0	01	07
	32	0	24	24
	204	0	00	20
	212	0	01	25
	213	0	20	31
	209	0	07	84
	208	0	09	98
	214	0	00	71
	215	0	00	71
	216	0	06	24
	225	0	00	89
	224	0	00	71
	190	0	22	46
	160	0	16	75
	157	0	00	71
	138	0	32	08
	161	0	00	89
	132	0	00	71
	137	0	03	92
	162	0	00	20
	165	0	00	20
	164	0	00	20
	163	0	00	20
	136	0	00	36
	135	0	00	42
	134	0	00	20
	131	0	13	67
	127	0	00	53

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	126	0	46	15
	1319	0	01	25
	121	0	06	95
	1321	0	03	76
	1326	0	19	14
	1327	0	00	53
	1328	0	00	89
	1353	0	07	84
	1352	0	10	69
	1351	0	00	60
	1349	0	00	89
	1348	0	00	50
	1336	0	13	72
	1337	0	14	26
	1346	0	00	91
	1345	0	00	71
	1338	0	00	99
	1347	0	24	10
	1385	0	00	71
	1386	0	01	78
	1387	0	00	71
	1389	0	03	03
	1390	0	00	71
	1447	0	03	03
	1488	0	35	11
	1507	0	12	47
	1504	0	07	49
	1505	0	33	86
	1501	0	00	24
	1500	0	10	69
	1515	0	00	71
	1516	0	00	71
	1523	0	60	50
	1524	0	00	71

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	1503	0	00	20
	1502	0	00	20
3. अकबरपुर ठसका बांगर	757	0	31	27
	785	0	00	53
	780	0	13	21
	781	0	01	95
	782	0	02	41
	783	0	00	40
	767	0	00	80
	768	0	13	46
	770	0	10	44
	769	0	12	12
	728	0	29	58
	731	0	06	77
	727	0	00	36
	726	0	00	71
	696	0	15	68
	695	0	19	60
	700	0	00	36
	702	0	10	69
	703	0	18	00
	706	0	09	71
	691	0	00	72
	682	0	04	50
	681	0	04	50
	680	0	00	72
4. कोताना बांगर	1200	0	03	56
	1402	0	22	27
	1401	0	02	61
	1278	0	04	28
	1253	0	02	18
	1255	0	00	20
	1254	0	32	53
	1246	0	00	71

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	1245	0	49	18
	1248	0	00	71
	1240	0	02	18
	1241	0	00	95
	1243	0	22	10
	1256	0	00	71
	561	0	01	78
	559	0	06	59
	560	0	30	65
	583	0	32	43
	567	0	18	35
	542	0	00	89
	568	0	01	55
	580	0	21	21
	571	0	09	44
	572	0	02	26
	573	0	11	76
	537	0	03	21
	525	0	15	15
	526	0	12	47
	527	0	00	36
	524	0	00	71
	505	0	03	92
	504	0	04	14
	503	0	04	85
	502	0	00	89
	506	0	22	89
	508	0	13	72
	509	0	00	53
	515	0	00	71
	512	0	00	20
	511	0	18	80
	435	0	31	00
	437	0	00	63

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	438	0	04	17
	436	0	30	37
	268	0	01	19
	273	0	05	26
	272	0	00	71
	269	0	01	15
	253	0	01	19
	252	0	11	78
	254	0	06	33
	252/1469	0	00	50
	251/1471	0	00	27
	250	0	00	97
	251	0	07	76
	248	0	03	74
	49	0	05	70
	48	0	07	84
5. जागोस बांगर	164	0	14	79
	165	0	03	15
	166	0	03	03
	167	0	01	75
	168	0	01	90
	170	0	00	20
	161	0	00	36
	160	0	00	53
	144	0	14	43
	145	0	00	71
	149	0	00	89
	150	0	00	71
	151	0	00	71
	152	0	00	71
	153	0	00	89
	154	0	02	94
	155	0	01	63
	156	0	00	27

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	148	0	00	53
	147	0	00	36
	146	0	10	51
	141	0	00	20
	174	0	00	53
	182	0	01	10
	183	0	01	19
	185	0	00	71
	197	0	21	88
	198	0	00	49
	199	0	00	71
	207	0	13	72
	206	0	01	14
	205	0	01	43
	203	0	01	43
	216	0	08	82
	215	0	03	03
	212	0	04	90
	211	0	00	53
	213	0	06	42
	214	0	04	28
	218	0	00	72
	219	0	05	52
6. जागोस खादर	180	0	05	70
	165	0	00	24
	164	0	07	13
	162	0	11	31
	162/188	0	01	58
	160	0	01	98
	159	0	04	28
	154	0	00	20
	158	0	04	81
	147	0	00	20
	148	0	02	38

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	156/185	0	01	99
	151	0	00	71
	153	0	05	70
	74	0	04	63
	73	0	04	28
	72	0	05	08
	81	0	01	39
	80	0	02	18
	83	0	06	68
	82	0	03	96
	84	0	00	20
	85	0	06	77
	86	0	05	71
	87	0	07	13

[फा. सं. एल-14014/30/2006-जी.पी.]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 18th September, 2006

S. O. 3806.— Whereas, it appears to the Central Government, that it is necessary, in the public interest that for the transportation of Natural Gas from Dadri in the State of Uttar Pradesh to Panipat in the State of Haryana, " R-LNG Spur pipeline from Dadri to Panipat ", should be laid by the Indian Oil Corporation Limited;

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may, within twenty one days from the date on which the copies of this notification issued under sub-section(1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land, to Shri Birendra Kumar Gupta, Sr. Land Acquisition Officer/ Competent Authority, Indian Oil Corporation Limited, R - 2/18 Raj Nagar, Ghaziabad, (Uttar Pradesh).

SCHEDULE

Tehsil : Baraut	District : Baghpat	State : Uttar Pradesh		
Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
1. DHIKANA	559	0	26	37
	560	0	06	50
	561	0	00	20
	556	0	04	99
	562	0	04	01
	567	0	03	88
	573	0	00	62
	566	0	35	90
	568	0	03	90
	569	0	00	55
	580	0	00	89
	581	0	00	71
	583	0	29	94
	582	0	00	20
	587	0	00	71
	604	0	02	14
	647	0	11	23
	648	0	01	07
	645	0	01	25
	649	0	04	28
	650	0	20	67
	653	0	24	24
	655	0	11	40
	665	0	00	89
	692	0	19	78
	693	0	28	16
	680	0	00	71
	501	0	01	78
	500	0	01	07
	499	0	01	07
	498	0	03	92

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
2. LUHARI	18	0	06	95
	19	0	15	50
	20	0	07	13
	21	0	12	47
	24	0	00	71
	25	0	15	68
	261	0	01	07
	32	0	24	24
	204	0	00	20
	212	0	01	25
	213	0	20	31
	209	0	07	84
	208	0	09	98
	214	0	00	71
	215	0	00	71
	216	0	06	24
	223	0	00	89
	224	0	00	71
	190	0	22	46
	160	0	16	75
	157	0	00	71
	138	0	32	08
	161	0	00	89
	132	0	00	71
	137	0	03	92
	162	0	00	20
	165	0	00	20
	164	0	00	20
	163	0	00	20
	136	0	00	36
	135	0	00	42
	134	0	00	20
	131	0	13	67
	127	0	00	53

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	126	0	46	15
	1319	0	01	25
	121	0	06	95
	1321	0	03	76
	1326	0	19	14
	1327	0	00	53
	1328	0	00	89
	1353	0	07	84
	1352	0	10	69
	1351	0	00	60
	1349	0	00	89
	1348	0	00	50
	1336	0	13	72
	1337	0	14	26
	1346	0	00	91
	1345	0	00	71
	1338	0	00	99
	1347	0	24	10
	1385	0	00	71
	1386	0	01	78
	1387	0	00	71
	1389	0	03	03
	1390	0	00	71
	1447	0	03	03
	1488	0	35	11
	1507	0	12	47
	1504	0	07	49
	1505	0	33	86
	1501	0	00	24
	1500	0	10	69
	1515	0	00	71
	1516	0	00	71
	1523	0	60	50
	1524	0	00	71

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	1503	0	00	20
	1502	0	00	20
3. AKBARPUR THASKA BANGAR	757	0	31	27
	785	0	00	53
	780	0	13	21
	781	0	01	95
	782	0	02	41
	783	0	00	40
	767	0	00	80
	768	0	13	46
	770	0	10	44
	769	0	12	12
	728	0	29	58
	731	0	06	77
	727	0	00	36
	726	0	00	71
	696	0	15	68
	695	0	19	60
	700	0	00	36
	702	0	10	69
	703	0	18	00
	706	0	09	71
	691	0	00	72
	682	0	04	50
	681	0	04	50
	680	0	00	72
4. KOTANA BANGAR	1200	0	03	56
	1402	0	22	27
	1401	0	02	61
	1278	0	04	28
	1253	0	02	18
	1255	0	00	20
	1254	0	32	53
	1246	0	00	71

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	1245	0	49	18
	1248	0	00	71
	1240	0	02	18
	1241	0	00	95
	1243	0	22	10
	1256	0	00	71
	561	0	01	78
	559	0	06	59
	560	0	30	65
	583	0	32	43
	567	0	18	35
	542	0	00	89
	568	0	01	55
	580	0	21	21
	571	0	09	44
	572	0	02	26
	573	0	11	76
	537	0	03	21
	525	0	15	15
	526	0	12	47
	527	0	00	36
	524	0	00	71
	505	0	03	92
	504	0	04	14
	503	0	04	85
	502	0	00	89
	506	0	22	89
	508	0	13	72
	509	0	00	53
	515	0	00	71
	512	0	00	20
	511	0	18	80
	435	0	31	00
	437	0	00	63

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	438	0	04	17
	436	0	30	37
	268	0	01	19
	273	0	05	26
	272	0	00	71
	269	0	01	15
	253	0	01	19
	252	0	11	78
	254	0	06	33
	252/1469	0	00	50
	251/1471	0	00	27
	250	0	00	97
	251	0	07	76
	248	0	03	74
	49	0	05	70
	48	0	07	84
5. JAGOS BANGAR	164	0	14	79
	165	0	03	15
	166	0	03	03
	167	0	01	75
	168	0	01	90
	170	0	00	20
	161	0	00	36
	160	0	00	53
	144	0	14	43
	145	0	00	71
	149	0	00	89
	150	0	00	71
	151	0	00	71
	152	0	00	71
	153	0	00	89
	154	0	02	94
	155	0	01	63
	156	0	00	27

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	148	0	00	53
	147	0	00	36
	146	0	10	51
	141	0	00	20
	174	0	00	53
	182	0	01	10
	183	0	01	19
	185	0	00	71
	197	0	21	88
	198	0	00	49
	199	0	00	71
	207	0	13	72
	206	0	01	14
	205	0	01	43
	203	0	01	43
	216	0	08	82
	215	0	03	03
	212	0	04	90
	211	0	00	53
	213	0	06	42
	214	0	04	28
	218	0	00	72
	219	0	05	52
6. JAGOS KHADAR	180	0	05	70
	165	0	00	24
	164	0	07	13
	162	0	11	31
	162/188	0	01	58
	160	0	01	98
	159	0	04	28
	154	0	00	20
	158	0	04	81
	147	0	00	20
	148	0	02	38

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	156/185	0	01	99
	151	0	00	71
	153	0	05	70
	74	0	04	63
	73	0	04	28
	72	0	05	08
	81	0	01	39
	80	0	02	18
	83	0	06	68
	82	0	03	96
	84	0	00	20
	85	0	06	77
	86	0	05	71
	87	0	07	13

[F. No. L-14014/30/2006-G.P.]
S.B MANDAL, Under Secy.

नई दिल्ली, 18 सितम्बर, 2006

का. आ. 3807.— केन्द्रीय सरकार को लोक हित में यह आवश्यक प्रतीत होता है कि उत्तरप्रदेश राज्य में दादरी से हरियाणा राज्य में पानीपत तक, प्राकृतिक गैस के परिवहन के लिए इण्डियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा “आर.-एल.एन.जी. स्पर पाइपलाइन” के कार्यान्वयन हेतु एक शाखा पाइपलाइन विछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उक्त भूमि में, जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है और जिसमें पाइपलाइन विछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधाग (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन विछाने के संबंध में श्री वीरेन्द्र कुमार गुप्ता, वरिष्ठ भूमि अर्जन अधिकारी / मक्षम प्राधिकारी, इण्डियन ऑयल कॉर्पोरेशन लिमिटेड, आर-2/18, राज नगर, गाज़ियाबाद (उत्तर प्रदेश), को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : खेकड़ा	जिला : बागपत	राज्य : उत्तर प्रदेश		
गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
1. गौना	639	0	77	16
	640	0	05	34
	641	0	27	44
	642	0	00	62
	622/743	0	05	70
	622	0	32	43
	621	0	00	62
	620	0	07	84
	619	0	07	13
	618	0	06	77
	612	0	00	71
	611	0	00	71
	610	0	00	98
	583	0	05	88
	584	0	29	22
	585	0	00	71
	587	0	13	36
	588	0	00	89
	586	0	00	20
	576	0	14	96
	577	0	03	33
	578	0	10	96
	571	0	02	67
	570	0	00	71
	562	0	02	26
	561	0	10	69
	560	0	04	99
	559	0	07	30

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	558.	0	00	20
2. शहवानपुर	128	0	01	07
	127	0	00	89
	126	0	33	15
	118	0	00	89
	111	0	24	38
	110	0	00	53
	105	0	42	06
	104	0	00	71
	102	0	13	19
	72	0	00	53
	71	0	01	07
	19	0	03	21
	18	0	00	89
	17	0	00	53
	14	0	07	48
	13	0	24	59
	16	0	00	20
	12	0	16	75
	10	0	00	71
	11	0	00	53
	5	0	02	85
	4	0	11	40
	1	0	00	89
3. ललयाणा	886	0	00	89
	885	0	11	41
	853	0	00	89
	844	0	00	36
	790	0	19	78
	796	0	25	48
	795	0	00	53

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	741	0	00	89
	742	0	09	27
	744	0	02	14
	743	0	03	56
	746	0	11	94
	740	0	01	07
	739	0	24	67
	737	0	00	21
	735	0	00	20
	712	0	00	36
	711	0	12	30
	750	0	01	43
	710	0	00	20
4. मन्सूरपुर	202	0	07	37
	197	0	01	66
	201	0	00	20
	198	0	21	38
	199	0	07	84
	194	0	00	36
	193	0	00	89
	189	0	00	99
	190	0	24	64
	184	0	00	89
	181	0	21	26
	124	0	01	39
	123	0	01	58
	180	0	00	99
	118	0	02	85
	119	0	21	38
	122	0	19	13
	121	0	00	63

* गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	126	0	01	07
	130	0	00	32
	129	0	23	62
	128	0	03	56
	127	0	35	64
5. खैला	105	0	01	06
	111	0	00	20
	106	0	00	65
	107	0	17	64
	108	0	07	84
	109	0	01	70
	110	0	00	59
	104	0	01	60
	83	0	00	36
	90	0	03	09
	89	0	10	04
	88	0	03	21
	87	0	05	70
	86	0	03	92
	85	0	03	56
	84	0	03	21
	82	0	13	54
	81	0	00	24
6. रावण उर्फ बड़ा गांव	897	0	18	18
	894	0	01	78
7. महरमपुर	362	0	00	71
	360	0	08	55
	359	0	05	34
	358	0	00	95
	357	0	00	36
	356	0	01	07

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	353	0	14	25
	342	0	00	36
	337	0	01	43
	336	0	01	43
	335	0	00	89
	273	0	08	24
	274	0	02	91
	271	0	02	61
	270	0	21	32
	241	0	00	36
	240	0	00	71
	239	0	00	20
	238	0	07	48
	237	0	07	48
	232	0	00	53
	231	0	00	36
	230	0	06	06
	229	0	44	02
	228	0	03	03
	227	0	01	25
	226	0	00	53
	218	0	22	71
	216	0	19	60
	214	0	04	81
	217	0	00	20
	213	0	01	25
	208	0	01	25
	194	0	00	20
	190	0	00	20
	189	0	14	69
	187	0	17	11

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
1	2	3	4	5
	186	0	01	19
	188	0	00	89
	180	0	00	89
	178	0	24	24
	177	0	01	25

[फा. सं. एल-14014/30/2006-जी.पी.]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 18th September, 2006

S. O. 3807.—Whereas, it appears to the Central Government, that it is necessary in the public interest that for the transportation of Natural Gas from Dadri in the State of Uttar Pradesh to Panipat in the State of Haryana " R-LNG Spur pipeline from Dadri to Panipat ", should be laid by the Indian Oil Corporation Limited;

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may, within twenty one days from the date on which the copies of this notification issued under sub-section(1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land, to Shri Birendra Kumar Gupta, Sr. Land Acquisition Officer/ Competent Authority, Indian Oil Corporation Limited, R - 2/18 Raj Nagar, Ghaziabad, (Uttar Pradesh).

SCHEDULE

Tehsil : Khekra	District: Baghpat	State: Uttar Pradesh		
Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
1. GAUNA	639	0	77	16
	640	0	05	34
	641	0	27	44
	642	0	00	62
	622/743	0	05	70
	622	0	32	43
	621	0	00	62
	620	0	07	84
	619	0	07	13
	618	0	06	77
	612	0	00	71
	611	0	00	71
	610	0	00	98
	583	0	05	88
	584	0	29	22
	585	0	00	71
	587	0	13	36
	588	0	00	89
	586	0	00	20
	576	0	14	96
	577	0	03	33
	578	0	10	96
	571	0	02	67
	570	0	00	71
	562	0	02	26
	561	0	10	69
	560	0	04	99
	559	0	07	30

● Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	558	0	00	20
2. SHAHWANPUR	128	0	01	07
	127	0	00	89
	126	0	33	15
	118	0	00	89
	111	0	24	38
	110	0	00	53
	105	0	42	06
	104	0	00	71
	102	0	13	19
	72	0	00	53
	71	0	01	07
	19	0	03	21
	18	0	00	89
	17	0	00	53
	14	0	07	48
	13	0	24	59
	16	0	00	20
	12	0	16	75
	10	0	00	71
	11	0	00	53
	5	0	02	85
	4	0	11	40
	1	0	00	89
3. LALYANA	886	0	00	89
	885	0	11	41
	853	0	00	89
	844	0	00	36
	790	0	19	78
	796	0	25	48
	795	0	00	53

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	741	0	00	89
	742	0	09	27
	744	0	02	14
	743	0	03	56
	746	0	11	94
	740	0	01	07
	739	0	24	67
	737	0	00	21
	735	0	00	20
	712	0	00	36
	711	0	12	30
	750	0	01	43
	710	0	00	20
4. MANSURPUR	202	0	07	37
	197	0	01	66
	201	0	00	20
	198	0	21	38
	199	0	07	84
	194	0	00	36
	193	0	00	89
	189	0	00	99
	190	0	24	64
	184	0	00	89
	181	0	21	26
	124	0	01	39
	123	0	01	58
	180	0	00	99
	118	0	02	85
	119	0	21	38
	122	0	19	13
	121	0	00	63

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	126	0	01	07
	130	0	00	32
	129	0	23	62
	128	0	03	56
	127	0	35	64
5. KHAILA	105	0	01	06
	111	0	00	20
	106	0	00	65
	107	0	17	64
	108	0	07	84
	109	0	01	70
	110	0	00	59
	104	0	01	60
	83	0	00	36
	90	0	03	09
	89	0	10	04
	88	0	03	21
	87	0	05	70
	86	0	03	92
	85	0	03	56
	84	0	03	21
	82	0	13	54
	81	0	00	24
6. RAWAN URF BARAGAON	897	0	18	18
	894	0	01	78
7. MEHRAMPUR	362	0	00	71
	360	0	08	55
	359	0	05	34
	358	0	00	95
	357	0	00	36
	356	0	01	07

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	353	0	14	25
	342	0	00	36
	337	0	01	43
	336	0	01	43
	335	0	00	89
	273	0	08	24
	274	0	02	91
	271	0	02	61
	270	0	21	32
	241	0	00	36
	240	0	00	71
	239	0	00	20
	238	0	07	48
	237	0	07	48
	232	0	00	53
	231	0	00	36
	230	0	06	06
	229	0	44	02
	228	0	03	03
	227	0	01	25
	226	0	00	53
	218	0	22	71
	216	0	19	60
	214	0	04	81
	217	0	00	20
	213	0	01	25
	208	0	01	25
	194	0	00	20
	190	0	00	20
	189	0	14	69
	187	0	17	11

Name of Village	Khasra No.	Area		
		Hectare	Are	Square Meter
1	2	3	4	5
	186	0	01	19
	188	0	00	89
	180	0	00	89
	178	0	24	24
	177	0	01	25

[F. No. L-14014/30/2006-G.P.]

S.B MANDAL, Under Secy.

नई दिल्ली, 19 सितम्बर, 2006

का. आ. 3808.— केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मध्य प्रदेश में मांगल्या (इन्दौर) संस्थापन से हरयाणा राज्य में पियाला तथा दिल्ली राष्ट्रीय राजधानी क्षेत्र में बिजवासन तक पेट्रोलियम उत्पादों के परिवहन के लिए भारत पेट्रोलियम कार्पोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50), की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियों साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिये उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री अरविन्द खरे, सक्षम प्राधिकारी, मुम्बई-मांगल्या पाइपलाइन विस्तार परियोजना, भारत पेट्रोलियम कार्पोरेशन लिमिटेड, 8/5, वैशाली, नानाखेडा बस स्टैंड के पास, उज्जैन-456010, (मध्यप्रदेश) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : बखोद		जिला : शाजापुर	राज्य : मध्यप्रदेश
क्र.	ग्राम का नाम	सर्गे नं०	क्षेत्रफल एकड़ों में
1	2	3	4
1	मंगवालिया	463	0 2430
		460	0 2322
		459	0 0990
		458	0 0360
		444	0 0810
2	सारगाखेडी	55	0 0900
		55 (शासनात)	0 0100

[फा. सं. आर-31015/69/2004 ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 19th September, 2006

S. O. 3808.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Manglya (Indore) terminal in the State of Madhya Pradesh, an extension pipeline to Piyala in the State of Haryana and Bijwasan in the NCT of Delhi should be laid by Bharat Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may within twenty one days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Arvind Khare, Competent Authority, Mumbai-Manglya Pipeline Extension Project, Bharat Petroleum Corporation Limited, 8/5, Vaishali, Near of Nanakheda Bus Stand, Ujjain - 456010 (Madhya Pradesh).

SCHEDULE

TEHSIL : BAROD		DISTRICT : SHAJAPUR		STATE : MADHYA PRADESH	
S.No.	NAME OF VILLAGE	SURVEY NO.		AREA IN HECTARE	
1	2	3		4	
1	MANGAWALIYA	463		0.2430	
		460		0.2322	
		459		0.0990	
		458		0.0360	
		444		0.0810	
2	SARANGAKHERI	69		0.0900	
		518 (Govt.Nala)		0.0100	

[F. No. R-31015/69/2004-O.R.-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 19 सितम्बर, 2006

का. आ. 3809.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 2 के खण्ड (क) के अनुसरण में, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 1573, तारीख 17 अप्रैल, 2006 द्वारा श्री सुरेश कुमार, संयुक्त कलेक्टर, जिला मुरैना को मैसर्स गेल (इण्डिया) लिमिटेड द्वारा मध्य प्रदेश राज्य के मुरैना, खालियर और भिण्ड जिलों में पाइपलाइन बिछाने के लिए उक्त अधिनियम के अधीन सक्षम प्राधिकारी के कर्त्यों का पालन करने के लिए नियुक्त किया;

और उक्त श्री सुरेश कुमार का स्थानांतरण हो गया है और श्री विजय कुमार अकवाल को उनके स्थान पर पदस्त किया गया है;

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 2 के खण्ड (क) के अनुसरण में भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 1573, तारीख 17 अप्रैल, 2006 को अधिकांश करते हुए, नीचे दी गई अनुसूची के स्तंभ (1) में वर्णित व्यक्ति को उक्त मैसर्स गेल (इण्डिया) लिमिटेड द्वारा पाइपलाइन बिछाने के लिए निम्नलिखित अनुसूची के स्तंभ (2) में वर्णित क्षेत्र में उक्त अधिनियम के अधीन सक्षम प्राधिकारी के कर्त्यों का पालन करने के लिए अधिकृत करती है।

अनुसूची

व्यक्ति का नाम और पता	अधिकारिता का क्षेत्र
(1)	(2)
श्री विजय कुमार अकवाल उप जिलाधिकारी, मुरैना, गेल (इण्डिया) लिमिटेड, जिला मुरैना, मध्य प्रदेश मानदेय के आधार पर	मध्य प्रदेश राज्य के मुरैना, खालियर और भिण्ड जिले।

[फा. सं. एल-14014/26/2006-जी.पी.]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 19th September, 2006

S. O. 3809.—Whereas, in pursuance of clause (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government vide Notification of Government of India in the Ministry of Petroleum and Natural Gas S.O.1573, dtd. 17th April, 2006 appointed Shri Suresh Kumar, Joint Collector, Morena District to perform the functions of the Competent Authority under the said Act for laying of the pipeline by M/s. GAIL (India) Limited in Districts Morena, Gwalior and Bhind in the state of Madhya Pradesh;

And, whereas, Shri Suresh Kumar has been transferred and Shri Vijay Kumar Agrawal has been posted in his place;

Now, therefore, in pursuance of clause (a) of Section (2) of the said Act and in supersession of the notification of the Government of India, Ministry of Petroleum & Natural Gas vide S.O. 1573, dtd. 17th April, 2006, the Central Government hereby authorises the person mentioned in column (1) of the schedule given below to perform the functions of the Competent Authority under the said Act for laying pipelines by the said M/s. GAIL (India) Limited in the area mentioned in column (2) of the said schedule.

Schedule

Name and Address of the person	Area of Jurisdiction
(1)	(2)
Shri Vijay Kumar Agrawal Dy. Collector, Morena, M/s. GAIL (India) Limited, District : Morena, Madhya Pradesh (on honorarium basis)	Districts Morena, Gwalior and Bhind of the State of Madhya Pradesh.

[F. No. L-14014/26/2006-G.P.]
S.B MANDAL, Under Secy.

नई दिल्ली, 20 सितम्बर, 2006

का. आ. 3810.— केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मध्य प्रदेश में मांगल्या (इन्दौर) संस्थापन से हरयाणा राज्य में पियाला तथा दिल्ली राष्ट्रीय राजधानी क्षेत्र में बिजवासन तक पेट्रोलियम उत्पादों के परिवहन के लिए भारत पेट्रोलियम कार्पोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50), की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिये उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री अरविन्द खरे, सक्षम प्राधिकारी, मुम्बई-मांगल्या पाइपलाइन विस्तार परियोजना, भारत पेट्रोलियम कार्पोरेशन लिमिटेड, 8/5, वैशाली, नानाखेड़ा बस स्टैंड के पास, उज्जैन -456010, (मध्यप्रदेश) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : सांवेर		जिला : इन्दौर	राज्य : मध्यप्रदेश
क्र.	ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हैक्टेयर में
1	2	3	4
1	खाकरोद	263(शास.चातरगढ़)	0.0432
2	बरलाई जागीर	78	0.0324
3	पुवारडा दाई	175	0.0108
		175(शास.रास्ता)	0.0216
		135	0.0216
		84	0.0630
4	पुवारडा हप्पा	53	0.1620
		80	0.0720
		23	0.0810
5	मच्छखेडी	99	0.0630
		97	0.0810
		173	0.0540
		101/266/4/1	0.1620

[फा. सं. आर-31015/62/2004 ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 20th September, 2006

S. O. 3810.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Manglya (Indore) terminal in the State of Madhya Pradesh, an extension pipeline to Piyala in the State of Haryana and Bijwasan in the NCT of Delhi should be laid by Bharat Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may within twenty one days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Arvind Khare, Competent Authority, Mumbai-Manglya Pipeline Extension Project, Bharat Petroleum Corporation Limited, 8/5, Vaishali, Near of Nanakheda Bus Stand, Ujjain - 456010 (Madhya Pradesh).

SCHEDULE

TEHSIL : SANWER		DISTRICT : INDORE	STATE : MADHYA PRADESH
S.No.	NAME OF VILLAGE	SURVEY NO.	AREA IN HECTARE
1	2	3	4
1	KHAKROD	263(Govt.Charagah)	0.0432
2	BARLAI JAGIR	78	0.0324
3	PUWARD A DAI	175	0.0108
		175 (Govt.Rasta)	0.0216
		135	0.0216
		84	0.0630
4	PUWARD A HAPPA	53	0.1620
		80	0.0720
		23	0.0810
5	MACHHUKHEDI	99	0.0630
		97	0.0810
		173	0.0540
		101/266/4/1	0.1520

[F. No. R-31015/62/2004-O.R.-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 20 सितम्बर, 2006

का. आ. 3811.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि महाराष्ट्र राज्य में लोनी (पुणे) से पकनी (सोलापुर) तक हजारवाडी के रास्ते पेट्रोलियम उत्पादों के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में जो इस से उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री. संजीव जाधव, सक्षम प्राधिकारी, मुम्बई-पुणे पाइपलाइन विस्तार परियोजना (लोनी से पकनी तक हजारवाडी के रास्ते), हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, मेगा सेंटर, मगरपट्टा - एम व एन विंग, हादापसर - 411 028 (पुणे जिला), महाराष्ट्र को लिखित रूप में आक्षेप भेज सकेगा ।

अनुसूची							
तालुका : मोहोले			जिला : सोलापुर		राज्य : महाराष्ट्र		
क्रम सं.	गाव का नाम	सर्वे नंबर	गट नंबर	उप-खण्ड संख्या	क्षेत्रफल		
1	2	3	4	5	हेक्टर	एयर	वर्ग मीटर
1	कोयाले		147		00	04	26
			152		00	02	02
				कुल	00	06	28
2	पोफली		140	2	00	01	09
				कुल	00	01	09

[फा. सं. आर-31015/23/2004 ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 20th September, 2006

S. O. 3811.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Loni (Pune) to Pakni (Solapur) via Hazarwadi in the State of Maharashtra, an extension pipeline should be laid by Hindustan Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Sanjeev Jadhav, Competent Authority, Mumbai-Pune Pipeline Extension Project (from Loni to Pakni via Hazarwadi), Hindustan Petroleum Corporation Limited, Mega Center, Magarpatta – M & N Wing, Hadapsar – 411 028 (Pune District), Maharashtra.

SCHEDULE

Taluka : MOHOL		District : SOLAPUR		State : MAHARASHTRA			
Sr. No.	Name of the Village	Survey No.	Gat No.	Sub-Division No.	Area		
					Hectare	Are	Sq.mt
1	2	3	4	5	6	7	8
1	KOTHALE		147		00	04	26
			152		00	02	02
			Total		00	06	28
2	POPHLI		140	2	00	01	09
			Total		00	01	09

[F. No. R-31015/23/2004-O.R.-II]
A. GOSWAMI, Under Secy.

नई दिल्ली, 20 सितम्बर, 2006

का. आ. 3812.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि महाराष्ट्र राज्य में लोनी (पुणे) से पकनी (सोलापुर) तक हजारवाडी के रास्ते पेट्रोलियम उत्पादों के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में जो इस से उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री. संजीव जाधव, सक्षम प्राधिकारी, मुम्बई-पुणे पाइपलाइन विस्तार परियोजना (लोनी से पकनी तक हजारवाडी के रास्ते), हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, मेगा सेंटर, मगरपट्टा - एम व एन विंग, हादापसर - 411 028 (पुणे जिला), महाराष्ट्र को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची							
तालुका : पंढरपुर		जिला : सोलापुर		राज्य : महाराष्ट्र			
क्रम सं.	गाव का नाम	सर्वे नंबर	गट नंबर	उप-खण्ड संख्या	क्षेत्रफल		
1	2	3	4	5	हेक्टर	एयर	वर्ग मीटर
1	आंबे चिंचोली		105	3	00	06	52
				कुल	00	06	52
2	शंकरगाँव		158		00	02	32
			141	3	00	01	12
			138		00	09	99
			130	1	00	01	02
			129	1	00	01	68
				कुल	00	16	13
3	पुलूजवाडी		326	1	00	05	35
			225	1	00	08	15
				कुल	00	13	50

[फा. सं. आर-31015/21/2004 ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 20th September, 2006

S. O. 3812.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Loni (Pune) to Pakni (Solapur) via Hazarwadi in the State of Maharashtra, an extension pipeline should be laid by Hindustan Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Sanjeev Jadhav, Competent Authority, Mumbai-Pune Pipeline Extension Project (from Loni to Pakni via Hazarwadi), Hindustan Petroleum Corporation Limited, Mega Center, Magarpatta – M & N Wing, Hadapsar – 411 028 (Pune District), Maharashtra.

SCHEDULE

Taluka : PANDHARPUR			District : SOLAPUR		State : MAHARASHTRA		
Sr. No.	Name of the Village	Survey No.	Gat No.	Sub-Division No.	Area		
					Hectare	Are	Sq.mt
1	2	3	4	5	6	7	8
1	AMBE CHINCHOLI		105	3	00	06	52
Total					00	06	52
2	SHANKARGAON		158		00	02	32
			141	3	00	01	12
			138		00	09	99
			130	1	00	01	02
			129	1	00	01	68
Total					00	16	13
3	PULUJVADI		326	1	00	05	35
			225	1	00	08	15
Total					00	13	50

[F. No. R-31Q15/21/2004-O.R.-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 20 सितम्बर, 2006

का. आ. 3813.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि महाराष्ट्र राज्य में लोनी (पुणे) से पकनी (सोलापुर) तक हजारवाडी के रास्ते पेट्रोलियम उत्पादों के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री. एम व्ही चिटनिस, सक्षम प्राधिकारी, मुम्बई-पुणे पाइपलाइन और मुम्बई-पुणे पाइपलाइन विस्तार परियोजना (लोनी से पकनी तक हजारवाडी के रास्ते), हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, मेगा सेंटर, मगरपट्टा - एम व एन विंग, हादापसर - 411 028 (पुणे जिला) , महाराष्ट्र को लिखित रूप में आक्षेप भेज सकेगा ।

अनुसूची							
तालुका : फलटण			जिला : सातारा		राज्य : महाराष्ट्र		
क्रम सं.	गाव का नाम	सर्वे नंबर	गट नंबर	उप-खण्ड संख्या	क्षेत्रफल		
					हेक्टर	एयर	वर्ग मीटर
1	2	3	4	5	6	7	8
1 कोरेगाँव			169		00	24	30
			178		00	00	64
			179		00	00	73
			180		00	01	62
			195		00	00	90
			204		00	00	69
			240		00	02	55
			241		00	06	04
			237		00	04	39
			243		00	03	52
कुल					00	45	38

1	2	3	4	5	6	7	8
2	तरडगाँव		1122		00	02	25
			553		00	01	73
			1120		00	01	50
				कूल	00	05	48
3	घाडगेवाडी		277		00	06	42
				कूल	00	06	42
4	बिवी		16		00	11	41
				कूल	00	11	41
5	वडगाँव		90		00	02	38
			150		00	04	72
				कूल	00	07	10
6	ताथवडे		48		00	12	71
			45		00	16	45
			43		00	14	04
			40		00	71	41
			39		00	09	06
				कूल	01	23	67

[फा. सं. आर-31015/20/2004 ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 20th September, 2006

S. O. 3813.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Loni (Pune) to Pakni (Solapur) via Hazarwadi in the State of Maharashtra, an extension pipeline should be laid by Hindustan Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri M.V.Chitnis, Competent Authority, Mumbai-Pune Pipeline and Mumbai-Pune Pipeline Extension Project (from Loni to Pakni via Hazarwadi), Hindustan Petroleum Corporation Limited, Mega Center, Magarpatta – M & N Wing, Hadapsar – 411 028 (Pune District), Maharashtra.

SCHEDULE

Taluka : PHALTAN			District : SATARA		State : MAHARASHTRA		
Sr. No.	Name of the Village	Survey No.	Gat No.	Sub-Division No.	Area		
					Hectare	Are	Sq.mt
1	2	3	4	5	6	7	8
1	KOREGAON		169		00	24	30
			178		00	00	64
			179		00	00	73
			180		00	01	62
			195		00	00	90
			204		00	00	69
			240		00	02	55
			241		00	06	04
			237		00	04	39
			243		00	03	52
Total					00	45	38
2	TARADGAON		1122		00	02	25
			553		00	01	73
			1120		00	01	50
Total					00	05	48
3	GHADGEWADI		277		00	06	42
Total					00	06	42
4	BIBI		16		00	11	41
Total					00	11	41
5	VADGAON		90		00	02	38
			150		00	04	72
Total					00	07	10
6	TATHA VADE		48		00	12	71
			45		00	16	45
			43		00	14	04
			40		00	71	41
			39		00	09	06
Total					01	23	67

[F. No. R-31015/20/2004-O.R.-II]
A. GOSWAMI, Under Secy.

नई दिल्ली, 20 सितम्बर, 2006

का. आ. 3814.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि महाराष्ट्र राज्य में लोनी (पुणे) से पकनी (सोलापुर) तक हजारवाडी के रास्ते पेट्रोलियम उत्पादों के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में जो इस से उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः अयं, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री . संजीव जाधव , सक्षम प्राधिकारी, मुम्बई-पुणे पाइपलाइन विस्तार परियोजना (लोनी से पकनी तक हजारवाडी के रास्ते), हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, मेगा सेंटर, मगरपट्टा - एम व एन विंग, हादापसर - 411 028 (पुणे जिला) , महाराष्ट्र को लिखित रूप में आक्षेप भेज सकेगा |

अनुसूची							
तालुका : सांगोला			जिला : सोलापुर		राज्य : महाराष्ट्र		
क्र. सं.	गाव का नाम	सर्वे नंबर	गट नंबर	उप-खण्ड संख्या	क्षेत्रफल		
1	2	3	4	5	हेक्टर	एयर	वर्ग मीटर
1	पाचेगाँव बुद्रुक		513		00	08	49
			624		00	14	77
				कुल	00	21	26
2	कोले		2370		00	19	46
				कुल	00	19	46
3	जुनोनी		17		00	12	47
			208		00	03	36
			209		00	12	24
			301		00	00	85
			10		00	00	30
				कुल	00	29	22
4	हातीद		213		00	00	30
			५५५ व ४५५ के बीच में ई एन		01	31	29
			58		00	13	86
				कुल	01	45	45
5	मिसालवाडी		152		00	00	77
				कुल	00	00	77
6	उधनवाडी		629		00	08	59
			502		00	04	40
				कुल	00	12	99
7	राजुरी		382		00	34	99
			247		00	05	37
				कुल	00	40	36

तालुका : सांगोला			जिला : सोलापुर		राज्य : महाराष्ट्र		
क्रम सं.	गाव का नाम	सर्वे नंबर	गट नंबर	उप-खण्ड संख्या	क्षेत्रफल		
					हेक्टर	एयर	वर्ग मीटर
1	2	3	4	5	6	7	8
8	अकोला		509		00	07	09
कुल					00	07	09
9	कडलास		923		00	05	63
			1188		00	07	22
			1193		00	04	65
			1194		00	06	31
			1197		00	05	30
			1198		00	06	31
			1199		00	10	46
			1200		00	00	10
			1205		00	06	15
			1206		00	11	19
			1207		00	06	05
कुल					00	69	37
10	वाडेगाँव		556		00	07	38
			555		00	06	85
			600		00	01	43
			494		00	13	91
कुल					00	29	57

[फा. सं. आर-31015/19/2004 ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 20th September, 2006

S: O. 3814.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Loni (Pune) to Pakni (Solapur) via Hazarwadi in the State of Maharashtra, an extension pipeline should be laid by Hindustan Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Sanjeev Jadhav, Competent Authority, Mumbai-Pune Pipeline Extension Project (from Loni to Pakni via Hazarwad), Hindustan Petroleum Corporation Limited, Mega Center, Magarpatta – M & N Wing, Hadapsar – 411 028 (Pune District), Maharashtra.

SCHEDULE							
Taluka : SANGOLA			District : SOLAPUR		State : MAHARASHTRA		
Sr. No.	Name of the Village	Survey No.	Gat No.	Sub-Division No.	Area		
1	2	3	4	5	Hectare	Are	Sq.mt
1	PACHEGAON BUDRUK		513		00	06	49
			624		00	14	77
			Total		00	21	26
2	KOLE		2370		00	19	46
			Total		00	19	46
3	JUNONI		17		00	12	47
			208		00	03	36
			209		00	12	24
			301		00	00	85
			10		00	00	30
			Total		00	29	22
4	HATID		213		00	00	30
			EN in between 555 and 455		01	31	29
			58		00	13	86
			Total		01	45	45
5	MISALWADI		152		00	00	77
			Total		00	00	77
6	UDHANWADI		629		00	08	59
			502		00	04	40
			Total		00	12	99
7	RAJURI		382		00	34	99
			247		00	05	37
			Total		00	40	36
8	AKOLA		509		00	07	09
			Total		00	07	09
9	KADLAS		923		00	05	63
			1188		00	07	22
			1193		00	04	65
			1194		00	06	31
			1197		00	05	30
			1198		00	06	31
			1199		00	10	46
			1200		00	00	10
			1205		00	06	15
			1206		00	11	19
			1207		00	06	05
			Total		00	69	37

Taluka : SANGOLA			District : SOLAPUR		State : MAHARASHTRA		
Sr. No.	Name of the Village	Survey No.	Gat No.	Sub-Division No.	Area		
					Hectare	Are	Sq.mt
1	2	3	4	5	6	7	8
10	WADEGAON		556		00	07	38
			555		00	06	85
			600		00	01	43
			494		00	13	91
Total					00	29	57

[F. No. R-31015/19/2004-O.R.-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 20 सितम्बर, 2006

का. आ. 3815.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि महाराष्ट्र राज्य में लोनी (पुणे) से पकनी (सोलापुर) तक हजारवाडी के रास्ते पेट्रोलियम उत्पादों के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपावद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री. एम व्ही चिटनिस, सक्षम प्राधिकारी, मुम्बई-पुणे पाइपलाइन और मुम्बई-पुणे पाइपलाइन विस्तार परियोजना (लोनी से पकनी तक हजारवाडी के रास्ते), हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, मेगा सेंटर, मगरपट्टा - एम व एन विंग, हादापसर - 411 028 (पुणे जिला) , महाराष्ट्र को लिखित रूप में आक्षेप भेज सकेगा ।

अनुसूची							
तालुका : खंडाला		जिला : सातारा		राज्य : महाराष्ट्र			
क्रम सं.	गाव का नाम	सर्वे नंबर	गट नंबर	उप-खण्ड संख्या	क्षेत्रफल		
1	2	3	4	5	हेक्टर	एयर	वर्ग मीटर
1	पिंपरे बु.		528		00	14	76
				कुल	00	14	76
2	बावकलवाडी		295		00	01	03
			150		00	06	50
			127		00	01	36
			131		00	00	78
			134		00	02	16
			136		00	02	04
				कुल	00	13	87
3	मरीआईची वाडी		70		00	02	85
				कुल	00	02	85

[फा. सं. आर-31015/31/2004 ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 20th September, 2006

S. O. 3815.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Loni (Pune) to Pakni (Solapur) via Hazarwadi in the State of Maharashtra, an extension pipeline should be laid by Hindustan Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri M.V.Chitnis, Competent Authority, Mumbai-Pune Pipeline and Mumbai-Pune Pipeline Extension Project (from Loni to Pakni via Hazarwadi), Hindustan Petroleum Corporation Limited, Mega Center, Magarpatta – M & N Wing, Hadapsar – 411 028 (Pune District), Maharashtra.

SCHEDULE

Taluka : KHANDALA			District : SATARA		State : MAHARASHTRA		
Sr. No.	Name of the Village	Survey No.	Gat No.	Sub-Division No.	Area		
					Hectare	Are	Sq.mt
1	2	3	4	5	6	7	8
1	PIMPRE BK		528		00	14	76
Total					00	14	76
2	BAVKALWADI		295		00	01	03
			150		00	06	50
			127		00	01	36
			131		00	00	78
			134		00	02	16
			136		00	02	04
Total					00	13	87
3	MARIAICHIWADI		70		00	02	85
Total					00	02	85

[F. No. R-31015/31/2004-O.R.-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 20 सितम्बर, 2006

का. आ. 3816.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1982 (1982 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 258 तारीख 17 जनवरी, 2006, जो भारत के राजपत्र तारीख 21 जनवरी, 2006 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में मध्यप्रदेश राज्य में मांगल्या (इंदौर) संस्थापन से हरियाणा राज्य में पियाला तथा दिल्ली राष्ट्रीय राजधानी क्षेत्र में बिजवासन तक पेट्रोलियम उत्पादों के परिवहन के लिए मुंबई-मांगल्या पाइपलाइन विस्तार परियोजना के माध्यम से भारत पेट्रोलियम कारपोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 5 अप्रैल, 2006 को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगों से मुक्त, भारत पेट्रोलियम कारपोरेशन लिमिटेड में निहित होगा ।

अनुसूची

तहसील : इन्द्रगढ़		जिला : बून्दी	राज्य : राजस्थान
क्र०	ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हैक्टेयर में
1	2	3	4
1.	घाट का बराना	704	0.0400
		495	0.0300

[फा. सं. आर-31015/85/2004 ओ.आर.-II]

ए. गोस्वामी, अव्वर सचिव

New Delhi, the 20th September, 2006

S. O. 3816.— Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O.258, dated the 17th January, 2006, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act) published in the Gazette of India dated the 21st January, 2006, the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying an extension pipeline for transportation of petroleum products through Mumbai-Manglya Pipeline Extension Project from Manglya (Indore) terminal in the State of Madhya Pradesh, to Piyala in the State of Haryana and Bijwasan in the NCT of Delhi by Bharat Petroleum Corporation Limited ;

And whereas the copies of the said Gazette notification were made available to the public on the 5th April, 2006;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land, specified in the Schedule , appended to this notification , is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration, in Bharat Petroleum Corporation Limited, free from all encumbrances.

SCHEDULE

TEHSIL : INDARGARH		DISTRICT : BUNDI		STATE : RAJASTHAN	
S.No.	NAME OF VILLAGE	SURVEY NO.	AREA IN HECTARE		
1	2	3	4		
1.	GHAT KA BARANA	704	0.0400		
		495	0.0300		

[F. No. R-31015/85/2004-O.R.-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 20 सितम्बर, 2006

का. आ. 3817.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मध्य प्रदेश में मांगल्या (इन्दौर) संस्थापन से हरयाणा राज्य में पियाला तथा दिल्ली राष्ट्रीय राजधानी क्षेत्र में बिजवासन तक पेट्रोलियम उत्पादों के परिवहन के लिए भारत पेट्रोलियम कार्पोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50), की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियों साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिये उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री दीपक नन्दी, सक्षम प्राधिकारी, मुम्बई—मांगल्या पाइपलाइन विस्तार परियोजना, भारत पेट्रोलियम कार्पोरेशन लिमिटेड, 1-सी, बाल मंदिर कॉलोनी, होटल पिक पैलेस के पास, सवाई माधोपुर - 322001 (राजस्थान) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : इन्द्रगढ़		जिला : बूंदी		राज्य : राजस्थान	
क्र०	ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हेक्टेयर में		
1	2	3	4		
1.	भाण्डगंवार	81	0.2304		
2.	हरदेव गंज	7/444	0.1584		
3.	अंधोरा	154	0.0200		
		155	0.0230		

[फा. सं. आर-31015/85/2004 ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 20th September, 2006

S. O. 3817.— Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Manglya (Indore) terminal in the State of Madhya Pradesh, an extension pipeline to Piyala in the State of Haryana and Bijwasan in the NCT of Delhi should be laid by Bharat Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may within twenty one days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Deepak Nandi, Competent Authority, Mumbai-Manglya Pipeline Extension Project, Bharat Petroleum Corporation Limited, 1-C, Bal Mandir Colony, Near Hotel Pink Palace, Sawai Madhopur-322001(Rajasthan).

SCHEDULE

TEHSIL: INDARGARH		DISTRICT: BUNDI	STATE: RAJASTHAN
S.No.	NAME OF VILLAGE	SURVEY NO.	AREA IN HECTARE
1	2	3	4
1.	BHANDGANWAR	81	0.2304
2.	HARDEV GANJ	7/444	0.1584
3.	ANGHORA	154	0.0200
		155	0.0230

[F. No. R-31015/85/2004-O.R.-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 21 सितम्बर, 2006

का. आ. 3818.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 1961 तारीख 12 मई, 2006, जो भारत के राजपत्र तारीख 20 मई, 2006 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में मध्यप्रदेश राज्य में मांगल्या (इंदौर) संस्थापन से हरियाणा राज्य में पियाला तथा दिल्ली राष्ट्रीय राजधानी क्षेत्र में बिजवासन तक पेट्रोलियम उत्पादों के परिवहन के लिए मुंबई-मांगल्या पाइपलाइन विस्तार परियोजना के माध्यम से भारत पेट्रोलियम कारपोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 23 जून, 2006 को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट — भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगमों से मुक्त, भारत पेट्रोलियम कारपोरेशन लिमिटेड में निहित होगा ।

अनुसूची

तहसील : गंगापुर		जिला : सवाई माधोपुर	राज्य : राजस्थान
क्र०	ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हेक्टेयर में
1	2	3	4
1.	चूली	1190 565/2190 1182	0.0303 0.1368 0.0144
2.	टोक्सी	1128 1080	0.0072 0.0216
3.	सलेमपुर	641	0.0040
4.	खरेडा	351	0.2592
5.	खानपुर बडोदा	527	0.0864

[फा. सं. आर-31015/93/2004 ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 21 September, 2006

S. O. 3818.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 1961, dated the 12th May, 2006, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act) published in the Gazette of India dated the 20th May, 2005, the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying an extension pipeline for transportation of petroleum products through Mumbai-Manglya Pipeline Extension Project from Manglya (Indore) terminal in the State of Madhya Pradesh to Piyala in the State of Haryana and Bijwasan in the NCT of Delhi by Bharat Petroleum Corporation Limited ;

And whereas the copies of the said Gazette notification were made available to the public on the 23rd June, 2006 ;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the — land, specified in the Schedule, appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration, in Bharat Petroleum Corporation Limited, free from all encumbrances.

SCHEDULE

TEHSIL : GANGAPUR		DISTRICT : SAWAI MADHOPUR		STATE : RAJASTHAN	
S.No.	NAME OF VILLAGE	SURVEY NO.	AREA IN HECTARE		
1	2	3	4		
1.	CHULI	1190	0.0303		
		565/2190	0.1368		
		1182	0.0144		
2.	TOKSI	1128	0.0072		
		1080	0.0216		
3.	SALEMPUR	641	0.0040		
4.	KHAREDA	351	0.2592		
5.	KHANPUR BADODA	527	0.0864		

[F. No. R-31015/93/2004-O.R.-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 21 सितम्बर, 2006

का. आ. 3819.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 932 तारीख 4 मार्च, 2005 (जिसे शुद्धिपत्र संख्या का. आ. 39 तारीख 5 जनवरी, 2006, जो भारत के राजपत्र तारीख 7 जनवरी, 2006 में प्रकाशित की गई थी द्वारा संशोधित किया गया था) जो भारत के राजपत्र तारीख 12 मार्च, 2005 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में मध्यप्रदेश राज्य में मांगल्या संस्थापन से हरियाणा राज्य में पियाला तथा दिल्ली राष्ट्रीय राजधानी क्षेत्र में बिजवासन तक पेट्रोलियम उत्पादों के परिवहन के लिए मुंबई-मांगल्या पाइपलाइन विस्तार परियोजना के माध्यम से भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड, द्वारा एक विस्तार पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 29 जून, 2006 को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात्, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग का अर्जन करने का विनिश्चय किया है

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगमों से मुक्त, भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा !

अनुसूची

तहसील : गंगापूर		जिला : सवाई माधोपुर	राज्य : राजस्थान
क्र०	ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हेक्टेयर में
1	2	3	4
1.	श्यामली	259	0.1799
		258	0.0934
		257	0.0330
		260	0.1891
		236	0.0397
		235	0.2882
		234	0.2180
		232	0.0100
		228	0.2880
		229	0.0010
		230	0.0671
		189	0.3320
		172	0.0103
		157	0.1021
		152	0.2200
		151	0.0713
		150	0.0728
		149	0.1229
		123	0.1512
		124	0.1404
		120	0.0246
		115	0.5719
		116	0.0896
		114	0.0944
		133	0.0144
		18	0.1110
		19	0.1303
		20	0.0515
		29/3312	0.0881
		31	0.0010
		30	0.1167
		33	0.0432
		38	0.2880
		39	0.0828
2.	वजीरपुर	1426	0.0072
3.	भालपुर	1280	0.0598
		1265	0.0158
		830	0.0123
		1273	0.0942

क्र०	ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हेक्टेयर में
1	2	3	4
3.	भालपुर	1274	0.1136
		1275	0.0487
		1272	0.0702
		1278	0.2348
		1285	0.1440
		1249/1403	0.0788
		1287	0.2083
		1287/1420	0.0492
		1300	0.0648
4.	चूली	1190/2117	0.0576
5.	छान	338	0.0756
6.	खंडीप	640	0.2232

[फा. सं. आर-31015/93/2004 ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 21. September, 2006

S. O. 3819.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. No. 932 dated the 4th March, 2005 (amended vide No. S.O. 39 dated the 5th January, 2006, published in the Gazette of India dated the 7th January, 2006) issued under sub-section (1) of Section 3 of the Petroleum and Mineral Pipelines (Acquisition of Right of user in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India dated the 12th March, 2005, the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying an extension pipeline for transportation of Petroleum Products through Mumbai-Manglya Pipeline Extension Project from Manglya (Indore) terminal in the State of Madhya Pradesh to piyala in the State of Haryana and Bijwasan in the NCT of Delhi by Bharat Petroleum Corporation Limited;

And whereas the copies of the said Gazette notification were made available to the public on the 29th June, 2006;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land, specified in the schedule, appended to this notification, is hereby acquired for laying the pipeline:

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration, in Bharat Petroleum Corporation Limited, free from all encumbrances.

SCHEDULE

TEHSIL : GANGAPUR		DISTRICT : SAWAI MADHOPUR		STATE : RAJASTHAN	
S.No.	NAME OF VILLAGE	SURVEY NO.		AREA IN HECTARE	
1	2	3		4	
1.	SHYAROLI	259		0.1799	
		258		0.0934	
		257		0.0330	
		260		0.1891	
		236		0.0397	
		235		0.2882	
		234		0.2180	
		232		0.0100	
		228		0.2880	
		229		0.0010	
		230		0.0671	
		189		0.3320	
		172		0.0103	
		157		0.1021	
		152		0.2200	
		151		0.0713	
		150		0.0728	
		149		0.1229	
		123		0.1512	
		124		0.1404	
		120		0.0246	
		115		0.5719	
		116		0.0896	
		114		0.0944	
		133		0.0144	
		18		0.1110	
		19		0.1303	
		20		0.0515	
		29/3312		0.0881	
		31		0.0010	
		30		0.1167	
		33		0.0432	
		38		0.2880	
		39		0.0828	
2.	VAZIRPUR	1426		0.0072	
3.	BHALPUR	1280		0.0598	
		1265		0.0158	
		830		0.0123	
		1273		0.0942	

S.No.	NAME OF VILLAGE	SURVEY NO.	AREA IN HECTARE
1	2	3	4
3.	BHALPUR	1274	0.1136
		1275	0.0487
		1272	0.0702
		1278	0.2348
		1285	0.1440
		1249/1403	0.0788
		1287	0.2083
		1287/1420	0.0492
		1300	0.0648
4.	CHULI	1190/2117	0.0576
5.	CHHAN	338	0.0756
6.	KHANDIP	640	0.2232

[F. No. R-31015/93/2004-O.R.-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 21 सितम्बर, 2006

का. आ. 3820.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मध्य प्रदेश में मांगल्या (इन्दौर) संस्थापन से हरयाणा राज्य में पियाला तथा दिल्ली राष्ट्रीय राजधानी क्षेत्र में बिजवासन तक पेट्रोलियम उत्पादों के परिवहन के लिए भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50), की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिये उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्री दीपक नन्दी, सक्षम प्राधिकारी, मुम्बई—मांगल्या पाइपलाइन विस्तार परियोजना, भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड, 1—सी, बाल मंदिर कॉलोनी, होटल पिक पैलेस के पास, सवाई माधोपुर — 322001 (राजस्थान) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : गंगापुर		जिला : सवाई माधोपुर	राज्य : राजस्थान
क्र०	ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हैक्टेयर में
1	2	3	4
1.	बाढ़ टटवाड़ा	118/474	0.0864
2.	ढाय	174	0.0900
		211	0.0800
		213	0.1540
		209	0.1100
		180	0.0480
		210	0.0900
3.	उमरी	960	0.0472
		961	0.1260
		889	0.1596
4.	खानपुर बड़ोदा	695	0.0500
5.	बिनेगां	639	0.0679
6.	सेवा	59	0.0320
		49	0.0600
		13	0.0600
		4	0.0364
7.	किशोरपुर	1742	0.0300
		1744	0.0300
		1743	0.0648
		799/2559	0.1396
8.	भालपुर	1430/1288	0.2556
		1288	0.4284
		1290	0.0430
		1250	0.0450
		1249/2	0.0500
		1271	0.0850
		1264	0.0280
		1299	0.0360
		1287/1420	0.2208
		1287/1418	0.2035
		1272	0.0600
		1249/1403	0.0512

अनुसूची

तहसील : गंगापुर		जिला : सवाई माधोपुर	राज्य : राजस्थान
क्र०	ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हैक्टेयर में
1	2	3	4
9.	खंडीप	678	0.1340
10.	टटवाड़ा	798	0.0730
		799	0.0230
		782	0.1800
		772	0.0648
		780	0.0400
11.	हीरापुर	2	0.0612
12.	चूली	566	0.0072
		989	0.0340

[फा. सं. आर-31015/93/2004 ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 21. September, 2006

S. O. 3820.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Mangliya (Indore) terminal in the State of Madhya Pradesh, an extension pipeline to Piyala in the State of Haryana and Bijwasan in the NCT of Delhi should be laid by Bharat Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may within twenty one days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Shri Deepak Nandi, Competent Authority, Mumbai-Mangliya Pipeline Extension Project, Bharat Petroleum Corporation Limited, 1-C, Bal Mandir Colony, Near Hotel Pink Palace, Sawai Madhopur-322001 (Rajasthan).

SCHEDULE**TEHSIL: GANGAPUR****DISTRICT: SAWAI MADHOPUR****STATE: RAJASTHAN**

S.No.	NAME OF VILLAGE	SURVEY NO.	AREA IN HECTARE
1	2	3	4
1.	BADH TATWADA	118/474	0.0864
2.	DHAY	174	0.0900
		211	0.0800
		213	0.1540
		209	0.1100
		180	0.0480
		210	0.0900
3.	UMRI	960	0.0472
		961	0.1260
		889	0.1596
4.	KHANPUR BADODA	695	0.0500
5.	BINEGA	639	0.0679
6.	SEVA	59	0.0320
		49	0.0600
		13	0.0600
		4	0.0364
7.	KISHORPUR	1742	0.0300
		1744	0.0300
		1743	0.0648
		799/2559	0.1396
8.	BHALPUR	1430/1288	0.2556
		1288	0.4284
		1290	0.0430
		1250	0.0450
		1249/2	0.0500
		1271	0.0850
		1264	0.0280
		1299	0.0360
		1287/1420	0.2208
		1287/1418	0.2035
		1272	0.0600
		1249/1403	0.0512

SCHEDULE

TEHSIL: GANGAPUR		DISTRICT: SAWAI MADHOPUR		STATE: RAJASTHAN	
S.No.	NAME OF VILLAGE	SURVEY NO.		AREA IN HECTARE	
1	2	3		4	
9.	KHANDIP	678		0.1340	
10.	TATWADA	798		0.0730	
		799		0.0230	
		782		0.1800	
		772		0.0648	
		780		0.0400	
11.	HIRAPUR	2		0.0612	
12.	CHULI	566		0.0072	
		989		0.0340	

[F. No. R-31015/93/2004-O.R.-II]
A. GOSWAMI, Under Secy.

कोयला मंत्रालय

नई दिल्ली, 13 सितम्बर, 2006

का. आ. 3821.— केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उपधारा (1) के अधीन जारी की गई, भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्यांक का.आ. 1028 तारीख 11 मार्च 2005, जो भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii), तारीख 19 मार्च 2005 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि का जिसकी माप 240.50 एकड़ (लगभग) या 97.33 हेक्टेयर (लगभग) है, अर्जन करने के अपने आशय की सूचना दी थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और मध्य प्रदेश सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 240.50 एकड़ (लगभग) या 97.33 हेक्टेयर (लगभग) माप वाली भूमि अर्जित की जानी चाहिए ;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इससे संलग्न अनुसूची में वर्णित 240.50 एकड़ (लगभग) या 97.33 हेक्टेयर (लगभग) माप वाली भूमि अर्जित की जाती है।

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक संख्यांक राजस्व/54/2005 तारीख 25.11.2005 का निरीक्षण कलेक्टर, सीधी (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में या नार्दर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग), सिंगरौली (मध्य प्रदेश) के कार्यालय में किया जा सकता है।

अनुसूची**गोरबी ब्लाक ख विस्तार -II****जिला सीधी (मध्य प्रदेश)**

सभी अधिकार

रेखांक राजस्व/54/2005 तारीख 25.11.2005

उप खंड 'क'

(अर्जित भूमि दर्शाते हुये)

क्रम संख्या	ग्राम का नाम	तहसील	जिला	क्षेत्र एकड़ में (लगभग)	टिप्पणियां
1	नौढ़िया	चितरंगी	सीधी (म० प्र०)	18.00	भाग
2	रजखड़	सिंगरौली	सीधी (म० प्र०)	69.00	भाग
3	सोलंग	सिंगरौली	सीधी (म० प्र०)	71.00	भाग
4	सिंगाही	सिंगरौली	सीधी (म० प्र०)	18.00	भाग
योग				176.00 एकड़ या 71.23 हेक्टेयर (लगभग)	

ग्राम नौढ़िया में अर्जित प्लॉट संख्यांक

56(भाग), 57, 58, 59(भाग), 60(भाग), 61(भाग), 62(भाग), 65(भाग), 66(भाग), 67(भाग), 68(भाग), 69(भाग), 70(भाग), 71(भाग), 72, 73(भाग), 74, 75(भाग), 76(भाग), 213(भाग), 222(भाग), 224(भाग), 225(भाग), 226, 227, 228(भाग), 229 से 233, 234(भाग), 235(भाग), 237(भाग), 13/845 (भाग) और 56/853(भाग).

ग्राम रजखड़ में अर्जित प्लॉट संख्यांक

33(भाग), 34(भाग), 35, 36, 37, 38(भाग), 39 से 59, 60(भाग), 68(भाग), 69(भाग), 70(भाग), 71 से 93, 94(भाग), 112(भाग), 113(भाग), 116(भाग), 117 से 121, 122(भाग), 123, 126(भाग), 127(भाग), 128(भाग), 131(भाग), 132 से 174, 175(भाग), 177(भाग), 178(भाग), 179(भाग), 180(भाग), 188(भाग), 189(भाग), 190(भाग), 191, 192, 193, 194 (भाग), 195 से 198, 199(भाग), 200(भाग), 201(भाग), 203(भाग), 204(भाग), 205(भाग), 206(भाग), 207(भाग), 236(भाग), 354(भाग), और 355.

ग्राम सोलंग में अर्जित प्लॉट संख्यांक

696(भाग), 697, 698, 699, 700(भाग), 701(भाग), 703(भाग), 706(भाग), 707(भाग), 849 (भाग), 850(भाग), 851 से 857, 858(भाग), 859(भाग), 862(भाग), 863 से 889, 890 (भाग), 891(भाग), 892(भाग), 893 से 905, 906(भाग), 907(भाग), 932(भाग), 944 (भाग), 945(भाग), 946(भाग), 947 से 949, 950(भाग), 951 से 958, 959(भाग), 960, 961(भाग), 962 से 974, 975(भाग), 977(भाग) और 981(भाग).

ग्राम सिंगाही में अर्जित प्लॉट संख्यांक

74(भाग), 93(भाग), 94(भाग), 95, 96, 97(भाग), 98(भाग), 116(भाग), 117(भाग), 118(भाग), 119(भाग), 120, 121, 122(भाग), 123(भाग), 124(भाग), 125(भाग), 126 से 130, 131(भाग), 132 से 136, 137(भाग), 138(भाग), 139(भाग), 145(भाग), 146(भाग), 183(भाग), 184(भाग), और 196(भाग).

सीमा वर्णन

क-ख रेखा 'क' बिन्दु से आरम्भ होती है और ग्राम सिगाही के प्लॉट संख्या 196, 184, 183, 117, 119, 118, 131, 116, 97, 98, 74, 94 और 93 से होकर जाती है तथा ग्राम सोलंग के प्लॉट संख्यांक 696, 700, 703, 701, 961, 959, 706, 707, 850, 849, 859, 858 और प्लॉट संख्यांक 864 तथा 858 की सम्मिलित सीमा, प्लॉट संख्यांक 861 तथा 863 की सम्मिलित सीमा और प्लॉट संख्यांक 862 से होकर जाती है तथा ग्राम रजखड़ के प्लॉट संख्यांक 112, 131, 128 और 354 से होकर जाती है और 'ख' बिन्दु पर मिलती है।

ख-ग रेखा 'ख' बिन्दु से आरम्भ होती है और ग्राम रजखड़ के प्लॉट संख्या 354, 127, 126, 122, प्लॉट संख्या 123 तथा 124 की सम्मिलित सीमा, प्लॉट संख्यांक 116, 113, 94, 34, 33 और 38 तथा ग्राम नौढ़िया के प्लॉट संख्यांक 228, 224, 222, 225, 213, 56, 56/853, 59, 60, 61, 62, 13/845, 70, 69, 66 तथा 65 से होकर जाती है और 'ग' बिन्दु पर मिलती है।

ग-घ रेखा 'ग' बिन्दु से आरम्भ होती है और ग्राम नौढ़िया के प्लॉट संख्या 65, 67, 68, 71, 73, 75, 76, 213, 235, 234 तथा 237 तथा ग्राम रजखड़ के प्लॉट संख्यांक 38, पुनः ग्राम नौढ़िया के प्लॉट संख्यांक 237 और ग्राम रजखड़ के प्लॉट संख्या 38, 236, 60, 69, 68, 70, 200, 201, 199, 203, 204, 205, 206, 207 तथा 194 से होकर जाती है और 'घ' बिन्दु पर मिलती है।

घ-क रेखा 'घ' बिन्दु से आरम्भ होती है और ग्राम रजखड़ के प्लॉट संख्यांक 194, 189, 188, 190, 180, 179, 178, 177 तथा 175 और ग्राम सोलंग के प्लॉट संख्या 907, 906, 932, 892, 891, 890, 945, 944, 946, 981, 977, 950 और 975 तथा ग्राम सिगाही के प्लॉट संख्यांक 145, 146 पुनः प्लॉट संख्यांक 145 तथा प्लॉट संख्यांक 138, 139, 137, 125, 124, 123, 122, 117, 183, 184 और 196 से होकर जाती है तथा आरम्भिक 'क' बिन्दु पर मिलती है।)

उप खंड 'ख'

क्रम संख्या	ग्राम का नाम	तहसील	जिला	क्षेत्र एकड़ में (लगभग)	टिप्पणियां
1	सोलंग	सिंगरौली	सीधी (म0प्र0)	2.50	भाग
2	मुहेर	सिंगरौली	सीधी (म0प्र0)	62.00	भाग
			कुल योग	64.50 एकड़ या 26.10 हेक्टेयर (लगभग)	

ग्राम सोलंग में अर्जित प्लॉट संख्यांक
प्लॉट नं0 462 (भाग)

ग्राम मुहेर में अर्जित प्लॉट संख्यांक

(भाग), 12(भाग), 13(भाग), 15(भाग), 19(भाग), 20(भाग), 21(भाग), 30(भाग), 386(भाग), 973(भाग), 974(भाग), 989(भाग), 990(भाग), 991(भाग), 992(भाग), 993(भाग), 996(भाग), 1001(भाग), 1002(भाग), 1003(भाग), 1004, 1005(भाग), 1006(भाग), 1007(भाग), 1010(भाग), 1011, 1012(भाग), 1013(भाग), 1014, 1015(भाग), 1016(भाग), 1295(भाग), 1296(भाग), 1297(भाग), 1310(भाग), 1311(भाग), 1312(भाग), 1315(भाग) और 1316(भाग)।

सीमा वर्णन

ड.-च रेखा 'ड.' बिन्दु से आरम्भ होती है और ग्राम मुहेर के प्लॉट संख्यांक 30, 386, 13, 11, 12, 992, 993, 996, 1003, 1002, 1005, 1001 पुनः 1005 तथा 1312 और ग्राम सोलंग के प्लॉट संख्यांक 462 तथा ग्राम मुहेर के प्लॉट संख्या 1312, 1316 अथवा 1315 से होकर जाती है और 'च' बिन्दु पर मिलती है।

च-छ रेखा 'च' बिन्दु से आरम्भ होती है और ग्राम मुहेर के प्लॉट संख्यांक 1315, 1316, 1312, 1310, 1311 पुनः 1312 तथा प्लॉट संख्यांक 1297, 1296, 1295 और 1015 से होकर जाती है और 'छ' बिन्दु पर मिलती है।

छ-ज रेखा 'छ' बिन्दु से आरम्भ होती है और ग्राम मुहेर के प्लॉट संख्यांक 1015, 1016, 1013, 1012 प्लॉट संख्यांक 1011 तथा 1026 की सम्मिलित सीमा और प्लॉट संख्यांक 1010, 1006, 1007, 992, 989, 990, 974, 973, 13, 15, 19, 20 तथा 21 से होकर जाती है और 'ज' बिन्दु पर मिलती है।

ज-ड. रेखा 'ज' बिन्दु से आरम्भ होती है और ग्राम मुहेर के प्लॉट संख्यांक 21 तथा 30 से होकर जाती है और आरम्भिक 'ड.' बिन्दु पर मिलती है।

[सं.-43015/1/2003-पीआरआईडब्ल्यू]

एम. शहाबुद्दीन, अवर सचिव

Ministry of Coal

New Delhi, the 13th September, 2006

S. O. 3821.— Whereas by the notification of the Government of India in the Ministry of Coal, number S.O. 1028, dated the 11th March, 2005 issued under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in Part-II, Section 3, sub-section (ii) of the Gazette of India dated the 19th March, 2005, the Central Government gave notice of its intention to acquire the lands measuring 240.50 acres (approximately) or 97.33 hectares (approximately) in the locality specified in the Schedule appended to that notification;

And whereas, the competent authority, in pursuance of section 8 of the said Act, has made his report to the Central Government;

And whereas, the Central Government, after considering the aforesaid report and, after consulting the Government of Madhya Pradesh, is satisfied that the land measuring 240.50 acres (approximately) or 97.33 hectares (approximately) described in the Schedule appended hereto should be acquired;

Now, therefore, in exercise of the powers conferred by the sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the lands measuring 240.50 acres (approximately) or 97.33 hectares (approximately) described in the Schedule appended hereto are hereby acquired.

The Plan No. Rev/ 54/2005/ dated 25.11.2005 of the area covered by this notification may be inspected in the Office of the Collector, Sidhi (Madhya Pradesh) or in the Office of the Coal Controller, 1, Counsel House Street, Kolkata or in the office of the Northern Coalfields Limited (Revenue Section), Singrauli (Madhya Pradesh).

Schedule
Gorbi Block 'B' Extension II
District—Sidhi, (Madhya Pradesh)

All rights

Sub-Block 'A' Drawing No. Rev/54/2005 dt. 25.11.2005 (Showing lands acquired)

Serial number	Name of village	Tahsil	District	Approximate area in acres	Remarks
1	2	3	4	5	6
1.	Naurhiya	Chitrangi	Sidhi (MP)	18.00	Part
2.	Rajkhad	Singrauli	Sidhi (MP)	69.00	Part
3.	Solang	Singrauli	Sidhi (MP)	71.00	Part
4.	Sigahi	Singrauli	Sidhi (MP)	18.00	Part
Total area 176.00 acres (approximately) or 71.23 hectares (approximately)					

Plot numbers acquired in village Naurhiya:

56(P), 57, 58, 59 (P), 60(P), 61(P), 62(P), 65(P), 66(P), 67(P), 68(P), 69(P), 70(P), 71(P), 72, 73(P), 74, 75(P), 76(P), 213(P), 222(P), 224(P), 225(P), 226, 227, 228(P), 229 to 233, 234(P), 235(P), 237(P), 13/845(P) and 56/853(P).

Plot numbers acquired in village Rajkhad:

33(P), 34(P), 35, 36, 37, 38(P), 39 to 59, 60(P), 68(P), 69(P), 70(P), 71 to 93, 94(P), 112(P), 113(P), 116(P), 117 to 121, 122(P), 123, 126(P), 127(P), 128(P), 131(P), 132 to 174, 175(P), 177(P), 178(P), 179(P), 180(P), 188(P), 189(P), 190(P), 191, 192, 193, 194 (P), 195 to 198, 199(P), 200(P), 201(P), 203(P), 204 (P), 205(P), 206(P), 207(P), 236 (P), 354(P), and 355

Plot numbers acquired in village Solang :

696(P), 697, 698, 699, 700(P), 701(P), 703(P), 706(P), 707(P), 849(P), 850(P), 851 to 857, 858(P), 859(P), 862(P), 863 to 889, 890(P), 891(P), 892(P), 893 to 905, 906(P), 907(P), 932(P), 944(P), 945(P), 946(P), 947 to 949, 950(P), 951 to 958, 959(P), 960, 961(P), 962 to 974, 975(P), 977(P) and 981(P).

Plot numbers acquired in village Sigahi :

74(P), 93(P), 94(P), 95, 96, 97(P), 98(P), 116(P), 117(P), 118(P), 119 (P), 120, 121, 122(P), 123(P), 124(P), 125(P), 126 to 130, 131(P), 132 to 136, 137(P), 138 (P), 139(P), 145(P), 146(P), 183(P), 184 (P) and 196(P).

Boundary description:

A-B Line starts from point "A" and passes through plot numbers 196, 184, 183, 117, 119, 118, 131, 116, 97, 98, 74, 94, and 93 of village Sigahi and plot numbers 696, 700, 703, 701, 961, 959, 706, 707, 850, 849, 859, 858 common boundary of plot numbers 864 and 858, common boundary of plot numbers 861 and 863 and plot number 862 of village Solang and plot numbers 112, 131, 128 and 354 of village Rajkhad and meets at point 'B'.

B-C Line starts from point "B" and passes through plot numbers 354, 127, 126, 122, common boundary of plot numbers 123 and 124 and plot numbers 116, 113, 94, 34, 33 and 38 of village Rajkhad and plot number 228, 224, 222, 225, 213, 56, 56/853, 59, 60, 61, 62, 13/845, 70, 69, 66 and 65 of village Naurhiya and meets at point "C".

C-D Line starts from point 'C' and passes through plot numbers 65, 67, 68, 71, 73, 75, 76, 213, 235, 234 and 237 of village Naurhiya and plot number 38 of village Rajkhad again plot number 237 of village Naurhiya and plot numbers 38, 236, 60, 69, 68, 70, 200, 201, 199, 203, 204, 205, 206, 207 and 194 of village Rajkhad and meets at point 'D'.

D-A Line starts from point 'D' and passes through plot numbers 194, 189, 188, 190, 180, 179, 178, 177, and 175 of village Rajkhad and plot numbers 907, 906, 932, 892, 891, 890, 945, 944, 946, 981, 977, 950, and 975 of village Solang and plot numbers 145, 146 again plot numbers 145 and plot numbers 138, 139, 137, 125, 124, 123, 122, 117, 183, 184 and 196 of village Sigahi and meets at the starting point 'A'.

Sub-Block 'B'

Serial number	Name of village	Tahsil	District	Approximate area in acres	Remarks
1	2	3	4	5	6
1	Solang	Singrauli	Sidhi (MP)	2.50	Part
2	Muher	Singrauli	Sidhi (MP)	62.00	Part
Total area 64.50 acres (approximately) or 26.10 hectares (approximately)					

Plot numbers acquired in village Solang:

Plot No. 462 (P)

Plot numbers acquired in Village Muher:

11(P), 12(P), 13(P), 15(P), 19(P), 20(P), 21(P), 30(P), 386(P), 973(P), 974(P), 989(P), 990(P), 991, 992(P), 993(P), 996(P), 1001(P), 1002(P), 1003(P), 1004, 1005(P), 1006(P), 1007(P), 1010(P), 1011, 1012(P), 1013(P), 1014, 1015(P), 1016(P), 1295(P), 1296(P), 1297(P), 1310(P), 1311(P), 1312(P), 1315(P), and 1316(P).

Boundary description

E-F Line starts from point 'E' and passes through plot numbers 30, 386, 13, 11, 12, 992, 993, 996, 1003, 1002, 1005, 1001 again 1005 and 1312 of village Muher and plot number 462 of village Solang and plot numbers 1312, 1316 and 1315 of village Muher and meets at point 'F'.

F-G Line starts from point 'F' and passes through plot numbers 1315, 1316, 1312, 1310, 1311 again plot number 1312 and plot numbers, 1297, 1296, 1295 and 1015 of village Muher and meets at point 'G'.

G-H Line starts from point 'G' and passes through plot numbers 1015, 1016, 1013, 1012 common boundary of plot number 1011 and 1026 and plot numbers 1010, 1006, 1007, 992, 989, 990, 974, 973, 13, 15, 19, 20 and 21 of village Muher and meets at point 'H'.

H-E Line starts from point 'H' and passes through plot numbers 21 and 30 of village Muher and meets at starting point 'E'.

[No. 43015/1/2003-PRIW]
M. SHAHABUDEEN, Under Secy.

नई दिल्ली, 19 सितम्बर, 2006

का. आ. 3822.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उपधारा (1) के अधीन जारी भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्यांक का. आ. 3590 तारीख 29 सितम्बर, 2005, जो भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii) तारीख 8 अक्टूबर, 2005 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की ऐसी भूमियों में या उस पर ऐसी भूमियों के समस्त अधिकारों के अर्जन करने के आशय की सूचना दी थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का, पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और महाराष्ट्र सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है, कि इससे संलग्न अनुसूची में यथा वर्णित 397.25 हेक्टर (लगभग) या 981.60 एकड़ (लगभग) माप वाली भूमि और ऐसी भूमियों में के या उस पर के समस्त अधिकार अर्जित किए जाने चाहिए ;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (I) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है, कि अनुसूची में यथा वर्णित 397.25 हेक्टर (लगभग) या 981.60 एकड़ (लगभग) माप वाली भूमि और ऐसी भूमियों में या उस पर के सभी अधिकार अर्जित किये जाते हैं।

इस अधिसूचना के अंतर्गत आने वाले क्षेत्र के रेखांक सं. सी-1 (ई) III/जेजेएनआर/742-0206, तारीख 15 फरवरी, 2006 का निरीक्षण, कलक्टर यवतमाल, (महाराष्ट्र) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कोलकाता (पिन 700 001) के कार्यालय में या वेस्टर्न कोलफील्ड्स लिमिटेड, (राजस्व विभाग) कोल इस्टेट, सिविल लाईन्स, नागपुर - 440 001 (महाराष्ट्र) के कार्यालय में किया जा सकता है।

अनुसूची (भाग "क")

कोलार-पिंपरी डीप विस्तारित खंड,

वनी उत्तरी क्षेत्र,

जिला यवतमाल (महाराष्ट्र)

(रेखांक सं. सी -1(ई) III /जेजेएनआर/742-0206 तारीख 15 फरवरी , 2006)

सभी अधिकार:

क्रम सं.	ग्राम का नाम	पटवारी सर्किल संख्यांक	तहसील	जिला	क्षेत्र (हेक्टर में)	टिप्पणियां
1	गोवारी	31	वनी	यवतमाल	616.77	भाग
2	कोलेरा	32	वनी	यवतमाल	143.57	भाग
3	पिंपरी	32	वनी	यवतमाल	23.86	भाग
4	ब्राम्हनी	32	वनी	यवतमाल	5.57	भाग

कुल क्षेत्र:- 239.77 हेक्टर (लगभग)

या

592.47 एकड़ (लगभग)

ग्राम गोवारी में अर्जित किए गए प्लॉट संख्यांक:

67, 69, 70, 71/1- 71/2, 72, 73, 92/1- 92/2, 93/1- 93/2, 94/1- 94/2, 96, 97, 102/1- 102/2- 102/3, 103, 104/1- 104/2, 105/1- 105/2, 106, 110, 111, 133/1- 133/2, 134, 135, 136, 137.

ग्राम कोलेरा में अर्जित किए गए प्लॉट संख्यांक:

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 24, 25, 26, 27, 28/1- 28/2, 29/1- 29/2, 30/1- 30/2, 31/1- 31/2- 31/3- 31/4- 31/5, 32, 33, 34/1- 34/2, 35, 36, 37/1- 37/2- 37/3, 38, 39, 40, 41, 42/1- 42/2, 43/1- 43/2, 54, 55, 56, 57, 58, 59, 60, 61, 62, 161, 162, 176, 177/1- 177/2, 178/1- 178/2, 179/1- 179/2, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192/1- 192/2, 193, 194, 195/1- 195/2, 196, 197, 218, 219, 220, 221, 222, 223, 224, आबादी, सड़क (भाग).

ग्राम पिंपरी में अर्जित किए गए प्लॉट संख्यांक:

31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 51, 52/1- 52/2- 52/3, 53, 54, सड़क (भाग).

ग्राम ब्रम्हनी में अर्जित किए गए प्लॉट संख्यांक:

70/1, 70/2, 71.

सीमा वर्णन:

क - ख: रेखा बिन्दु "क" से आरम्भ होती है और प्लॉट संख्यांक 137, 136, 102/1- 102/2- 102/3, 97, 96, 94/1- 94/2, 67, 70, 69 की बाह्य सीमा के साथ-साथ ग्राम गोवारी से होकर गुजरती है फिर प्लॉट संख्यांक 196, 197, 193, 222, 221, 220, 219, 218, आबादी 1, 2, 10, 25, 24, 33, की बाह्य सीमा के साथ जाती है फिर ग्राम गोवारी और कोलेरा की सम्मिलित ग्राम सीमा के साथ-साथ जाती है फिर कोलेरा और पिंपरी की सम्मिलित ग्राम सीमा और प्लॉट संख्यांक 33, 34/1- 34/2, 35, 37/1- 37/2- 37/3, 39 के साथ-साथ गुजरती है फिर ग्राम प्लॉट संख्यांक 31, 32, 33, 34 की बाह्य सीमा के साथ-साथ ग्राम पिंपरी से होकर आगे बढ़ती हुई सड़क पार करती है और प्लॉट संख्यांक 54 की बाह्य सीमा से जाती हुई ग्राम पिंपरी और अहेरी की सम्मिलित ग्राम सीमा से होती हुई प्लॉट संख्यांक 54, 53, 52/1- 52/2- 52/3, 51 की बाह्य सीमा के साथ गुजरती हुई बिन्दु "ख" पर मिलती है।

ख - ग: रेखा प्लॉट संख्यांक 51, 40 की बाह्य सीमा के साथ-साथ ग्राम पिंपरी से होकर गुजरती है, ग्राम पिंपरी और कोलेरा की सम्मिलित ग्राम सीमा को पार करती है और ग्राम कोलेरा के प्लॉट संख्यांक 62, 61 की बाह्य सीमा के साथ गुजरती हुई बिन्दु 'ग' पर मिलती है।

ग - घ: रेखा प्लॉट संख्यांक 61, 60, 54 की बाह्य सीमा के साथ-साथ ग्राम कोलेरा से होकर गुजरती है, सड़क और प्लॉट संख्यांक 54, 42/1- 42/2, 43/1- 43/2, 31/1- 31/2- 31/3- 31/4- 31/5, 30/1- 30/2 की बाह्य सीमा को पार करती है, सड़क और सड़क की बाह्य सीमा के साथ-साथ, आबादी और प्लॉट संख्यांक 161, 162, 189, 188, 186, 182, 181, 179/1- 179/2, 176 को पार करती है फिर ग्राम कोलेरा और ब्राम्हनी की सम्मिलित ग्राम सीमा और प्लॉट संख्यांक 71, 70/1- 70/2 की बाह्य सीमा के साथ गुजरती है और ग्राम ब्राम्हनी और गोवरी की सम्मिलित ग्राम सीमा को पार करती है और प्लॉट संख्यांक 72, 73, 92/1- 92/2, 106, 110, 111, 133/1- 133/2 की बाह्य सीमा के साथ गुजरती हुई बिन्दु 'घ' पर मिलती है।

घ - क: रेखा, प्लॉट संख्यांक 133/1- 133/2, 137 की बाह्य सीमा के साथ-साथ ग्राम गोवरी से होकर गुजरती है और आरंभिक बिन्दु 'क' पर मिलती है।

अनुसूची (भाग 'ख')

कोलार-पिंपरी डीप विस्तारित खंड,

वनी उत्तरी क्षेत्र,

जिला यवतमाल (महाराष्ट्र)

(रेखांक सं. सी -1(ई) III /जेजेएनआर/742-0206 तारीख 15 फरवरी, 2006)

सभी अधिकार:

क्रम सं.	ग्राम का नाम	पटवारी सर्किल संख्यांक	तहसील	जिला	क्षेत्र (हेक्टर में)	टिप्पणियां
1	अहेरी	32	वनी	यवतमाल	43.52	भाग

कुल क्षेत्र 43.52 हेक्टर (लगभग)

या

107.83 एकड़ (लगभग)

ग्राम अहेरी में अर्जित किए गए प्लॉट संख्यांक:-

230/1क- 230/1ख - 230/2- 230/3, 231/1- 231/2, 232, 233, 234, 235, 236, 237, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288/1क- 288/1ख- 288/2क- 288/2ख- 288/3क- 288/3ख, 297/1- 297/2- 297/3- 297/4, 298/1- 298/2- 298/3- 298/4, 299, 300/1- 300/2, सड़क (भाग)।

सीमा वर्णन:-

- ड. - च: रेखा बिन्दु "ड." से आरंभ होती है और वर्धा नदी के दक्षिण तट के साथ-साथ ग्राम अहेरी और प्लॉट संख्यांक 297/1- 297/2- 297/3- 297/4, 299, 300/1- 300/2 की बाह्य सीमा से होकर गुजरती है और बिन्दु "च" पर मिलती है ।
- च - छ: रेखा प्लॉट संख्यांक 300/1-300/2, 288/1क- 288/1ख-288/2क- 288/2ख- 288/3क- 288/3ख की बाह्य सीमा के साथ-साथ ग्राम अहेरी से होकर गुजरती है, सडक पार करती है और फिर प्लॉट संख्यांक 285, 284, 283, 282, 281, 236, 235, 233, 232, 231/1- 231/2, 230/क- 230/1ख- 230/2- 230/3 की बाह्य सीमा के साथ-साथ गुजरती है और बिन्दु "छ" पर मिलती है ।
- छ - ज: रेखा प्लॉट संख्यांक 230/1क- 230/1ख- 230/2- 230/3 की बाह्य सीमा के साथ-साथ ग्राम अहेरी से होकर गुजरती है और बिन्दु "ज" पर मिलती है ।
- ज - ड.: रेखा प्लॉट संख्यांक 230/1क- 230/1ख- 230/2- 230/3, 231/1- 231/2, 232, 234, 235, 236, 237, 280, 279 की बाह्य सीमा के साथ-साथ ग्राम अहेरी से होकर गुजरती है, सडक पार करती है और प्लॉट संख्यांक 278, 277, 288/1क- 288/1ख- 288/क- 288/2ख- 288/3क- 288/3ख, 298/1- 298/2- 298/3- 298/4, 297/1- 297/2- 297/3- 297/4 की बाह्य सीमा के साथ-साथ गुजरती है और बिन्दु "ड." के आरंम्भिक पर मिलती है ।

अनुसूची (भाग "ग")

कोलार-पिंपरी डीप विस्तारित खंड,
वनी उत्तरी क्षेत्र,
जिला यवतमाल (महाराष्ट्र)

(रेखांक सं.सी -1(ई)III/जेजेएनआर/742-0206 तारीख 15 फरवरी, 2006)

सभी अधिकार:

क्रम सं.	ग्राम का नाम	पटवारी सर्किल संख्यांक	तहसील	जिला	क्षेत्र (हेक्टर में)	टिप्पणियां
1	अहेरी	32	वनी	यवतमाल	55.48	भाग
2	बोरगांव	33	वनी	यवतमाल	58.48	

कुल क्षेत्र 113.96 हेक्टर (लगभग)

या

281.60 एकड़ (लगभग)

सभी अधिकार:-

अनुसूची भाग "क" + अनुसूची भाग "ख" + अनुसूची भाग "ग" = सभी अधिकार

239.77 + 43.52 + 113.96 = 397.25 हेक्टर (लगभग)

592.47 + 107.53 + 281.60 = 981.90 एकड़ (लगभग)

ग्राम अहेरी में अर्जित किए गए प्लॉट संख्यांक:-

1 (भाग), 2 (भाग), 3, 4 (भाग), 5, 6, 7, 8, 9/1- 9/2- 9/3, 10, 11, 12, 13, 14, 15/1- 15/2, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 (भाग), 30, 31 (भाग), 32 (भाग), 33, 34, 35 (भाग), 36 (भाग), 48/1(भाग), 48/1क, 48/2(भाग), 49, 50 (भाग), 51/2- 51/3- 51/4(भाग), 60/1(भाग), सड़क (भाग).

ग्राम बोरगांव में अर्जित किए गए प्लॉट संख्यांक:-

79, 94/क- 94/ख - 94/ग, 98, 99, 100, 101/1- 101/2, 102, 134, 135, 136, 137, 138, 139/2, 140/2क, 143/2, 144, 145, 146, 147, 148, 149, 150, 151/1- 151/1क- 151/2, 152/2, 153, 154, 155/1- 155/2, 156, 157, 158, 159, 160/1- 160/2, 161, 162/1- 162/2, 163, 168, 169.

सीमा वर्णन:-

च - झ: रेखा बिन्दु "च" से आरंभ होती है और वर्धा नदी के दक्षिण तट के साथ-साथ ग्राम अहेरी से और प्लॉट संख्यांक 2, 3, 7, 8, 9/1- 9/2- 9/3, 11, 12, की बाह्य सीमा से होकर गुजरती है और बिन्दु "झ" पर मिलती है।

झ - ज: रेखा ग्राम अहेरी और बोरगांव की सम्मिलित ग्राम सीमा और प्लॉट संख्यांक 12, 13, 17, 18, 19, 20, 21, 22 की बाह्य सीमा के साथ गुजरती है फिर प्लॉट संख्यांक 169, 168, 163, 161, 158, 155/1- 155/2, 94/क- 94/ख- 94/ग, 98, 99, 100, 79 की बाह्य सीमा के साथ-साथ ग्राम बोरगांव से होकर आगे बढ़ती है और बिन्दु "ज" पर मिलती है।

ज - ट: रेखा प्लॉट संख्यांक 79, 102, 101/1- 101/2, 136, 135, 134 की बाह्य सीमा के साथ-साथ ग्राम बोरगांव से होकर गुजरती है और बिन्दु "ट" पर मिलती है।

ट - च: रेखा प्लॉट संख्यांक 134, 140/2क, 139/2, 143/2, 152/2 की बाह्य सीमा के साथ-साथ ग्राम बोरगांव से होकर गुजरती है, ग्राम बोरगांव और अहेरी की सम्मिलित ग्राम सीमा को पार करती है फिर प्लॉट संख्यांक 60/1(भाग), 50 (भाग), 51/2- 52/3- 53/4(भाग), 48/1(भाग)- 48/1क- 48/2(भाग), 31 (भाग), 29 (भाग), 32 (भाग), 35 (भाग), 36 (भाग) में से गुजरती हुई आगे बढ़ती है, सड़क पार करती है फिर प्लॉट संख्यांक 4 (भाग), 1 (भाग), 2 (भाग) में से आगे बढ़ती है और आरंभिक बिन्दु "च" पर मिलती है।

New Delhi, the 19th September, 2006

S. O. 3822.—Whereas by the notification of the Government of India in the Ministry of Coal number S.O. 3590 dated the 29th September, 2005, issued under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), (hereinafter referred to as the said Act) and published in the Gazette of India, Part – II, Section- 3, Sub-section (ii), dated the 8th October, 2005, the Central Government gave notice of its intention to acquire the lands and all rights in or over such lands specified in the Schedule appended to that notification ;

And whereas the competent authority in pursuance of section 8 of the said Act has made his report to the Central Government ;

And whereas the Central Government after considering the report aforesaid and after consulting the Government of Maharashtra, is satisfied that the lands measuring 397.25 hectares (approximately) or 981.60 acres (approximately) and all rights in or over such lands as described in Schedule appended hereto should be acquired ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the land measuring 397.25 hectares (approximately) or 981.60 acres (approximately) and all rights in or over such lands as described in Schedule are hereby acquired.

The plan bearing number C-I (E)/III/JJNR/742- 0206 dated the 15th February, 2006 of the area covered by this notification may be inspected in the office of the Collector, Yavatmal (Maharashtra) or in the office of the Coal Controller, 1, Council House Street, Kolkata (Pin 700 001) or in the office of the Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur – 440 001 (Maharashtra).

Schedule (Part – ‘A’)

Kolar – Pimpri Deep Extension Block, Wani North Area, District Yavatmal (Maharashtra)

All Rights

(Plan No. C-1(E)III/JJNR/742-0206 dated the 15th February, 2006).

Serial number	Name of village	Patwari circle number	Tahsil	District	Area (in hectares)	Remarks
1	Gowari	31	Wani	Yavatmal	66.77	Part
2	Kolera	32	Wani	Yavatmal	143.57	Part
3	Pimpri	32	Wani	Yavatmal	23.86	Part
4	Bramhni	32	Wani	Yavatmal	5.57	Part

**Total area : 239.77 hectares (approximately) or
592.47 acres (approximately)**

Plot numbers acquired in village Gowari :

67, 69, 70, 71/1- 71/2, 72, 73, 92/1- 92/2, 93/1- 93/2, 94/1- 94/2, 96, 97, 102/1- 102/2- 102/3, 103, 104/1- 104/2, 105/1- 105/2, 106, 110, 111, 133/1- 133/2, 134, 135, 136, 137.

Plot numbers acquired in village Kolera :

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 24, 25, 26, 27, 28/1- 28/2, 29/1- 29/2, 30/1- 30/2, 31/1- 31/2- 31/3- 31/4- 31/5, 32, 33, 34/1- 34/2, 35, 36, 37/1- 37/2- 37/3, 38, 39, 40, 41, 42/1- 42/2, 43/1- 43/2, 54, 55, 56, 57, 58, 59, 60, 61, 62, 161, 162, 176, 177/1- 177/2, 178/1- 178/2, 179/1- 179/2, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192/1- 192/2, 193, 194, 195/1- 195/2, 196, 197, 218, 219, 220, 221, 222, 223, 224, Abadi, Road (Part).

Plot numbers acquired in village Pimpri.

31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 51, 52/1- 52/2- 52/3, 53, 54, Road (Part).

Plot numbers acquired in village Bramhni :

70/1- 70/2, 71.

Boundary description :

- A – B :** Line starts from point 'A' and p=0a/sses through village Gowari along the outer boundary of plot numbers 137, 136, 102/1- 102/2- 102/3, 97, 96, 94/1- 94/2, 67, 70, 69, then proceeds through common village boundary of villages Gowari and Kolera along the outer boundary of plot numbers 196, 197, 193, 222, 221, 220, 219, 218, Abadi, 1, 2, 10, 25, 24, 33 then passes along the common village boundary of villages Kolera and Pimpri and outer boundary of plot numbers 33, 34/1- 34/2, 35, 37/1- 37/2- 37/3, 39, then proceed through village Pimpri along the outer boundary of plot numbers 31, 32, 33, 34, crosses road and outer boundary of plot number 54 and common village boundary of villages Pimpri and Aheri and the outer boundary of plot numbers 54, 53, 52/1- 52/2- 52/3, 51 and meets at point 'B'.
- B – C :** Line passes through village Pimpri along the outer boundary of plot numbers 51, 40, crosses common village boundary of villages Pimpri and Kolera and outer boundary of plot numbers 62, 61 and meets at point 'C'.
- C – D :** Line passes through village Kolera along the outer boundary of plot numbers 61, 60, 54, crosses road and outer boundary of plot numbers 54, 42/1- 42/2, 43/1- 43/2, 31/1- 31/2- 31/3- 31/4- 31/5, 30/1- 30/2, crosses road and along the outer boundary of road, Abadi and plot numbers 161, 162, 189, 188, 186, 182, 181, 179/1- 179/2, 176, then crosses common village boundary of villages Kolera and Bramhni and outer boundary of plot numbers 71, 70/1- 70/2, then crosses common village boundary of villages Bramhni and Gowari and passes along the outer boundary of plot numbers 72, 73, 92/1- 92/2, 106, 110, 111, 133/1- 133/2 and meets at point 'D'.
- D – A :** Line passes through village Gowari along with the outer boundary of plot numbers 133/1- 133/2, 137 and meets at starting point 'A'.

Schedule (Part – 'B')

**Kolar – Pimpri Deep Extension Block, Wani North Area,
District Yavatmal (Maharashtra)**

All rights Plan No. C-1(E)III/JJNR/742-0206 dated the 15th February, 2006).

Serial number	Name of village	Patwari circle number	Tahsil	District	Area (in hectares)	Remarks
1	Aheri	32	Wani	Yavatmal	43.52	Part

**Total area : 43.52 hectares (approximately) or
107.53 acres (approximately)**

Plot numbers acquired in village Aheri :-

230/1A- 230/1B- 230/2- 230/3, 231/1- 231/2, 232, 233, 234, 235, 236, 237, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288/1A- 288/1B- 288/2A- 288/2B- 288/3A- 288/3B, 297/1- 297/2- 297/3- 297/4, 298/1- 298/2- 298/3- 298/4, 299, 300/1- 300/2, Road (Part).

Boundary description :-

- E – F :** Line starts from point 'E' and passes through village Aheri along with the Southern Bank of Wardha River and outer boundary of plot numbers 297/1- 297/2- 297/3- 297/4, 299, 300/1- 300/2 and meets at point 'F'.
- F – G :** Line passes through village Aheri along with the outer boundary of plot numbers 300/1- 300/2, 288/1A- 288/1B- 288/2A- 288/2B- 288/3A- 288/3B, crosses road then passes along the outer boundary of plot numbers 285, 284, 283, 282, 281, 236, 235, 233, 232, 231/1- 231/2, 230/1A- 230/1B- 230/2- 230/3 and meets at point 'G'.
- G – H :** Line passes through village Aheri along with the outer boundary of plot numbers 230/1A- 230/1B- 230/2- 230/3 and meets at point 'H'.
- H – E :** Line passes through village Aheri along with the outer boundary of plot numbers 230/1A- 230/1B- 230/2- 230/3, 231/1- 231/2, 232, 234, 235, 236, 237, 280, 279, crosses road and passes along the outer boundary of plot numbers 278, 277, 288/1A- 288/1B- 288/2A- 288/2B- 288/3A- 288/3B, 298/1- 298/2- 298/3- 298/4, 297/1- 297/2- 297/3- 297/4 and meets at starting point 'E'.

Schedule (Part – 'C')

**Kolar - Pimpri Deep Extension Block, Wani North Area,
District Yavatmal (Maharashtra)**

All rights (Plan No. C-1(E)III/JJNR/742-0206 dated the 15th February, 2006)

Serial number	Name of village	Patwari circle number	Tahsil	District	Area (in hectares)	Remarks
1	Aheri	32	Wani	Yavatmal	55.48	Part
2	Borgaon	33	Wani	Yavatmal	58.48	

**Total area : 113.96 hectares (approximately) or
281.60 acres (approximately)**

All rights :

Schedule 'A' + Schedule 'B' + Schedule 'C' = Total area

239.77	+	43.52	+	113.96	=	397.25 hectares (approximately)
592.47	+	107.53	+	281.60	=	981.60 acres (approximately)

Plot numbers acquired in village Aheri :-

1 (Part), 2 (Part), 3, 4 (Part), 5, 6, 7, 8, 9/1- 9/2- 9/3, 10, 11, 12, 13, 14, 15/1- 15/2, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 (Part), 30, 31 (Part), 32 (Part), 33, 34, 35 (Part), 36 (Part), 48/1 (Part), 48/1A, 48/2 (Part), 49, 50 (Part), 51/2- 51/3 - 51/4 (Part), 60/1 (Part), Road (Part).

Plot numbers acquired in village Borgaon :-

79, 94/A- 94/B- 94/C, 98, 99, 100, 101/1- 101/2, 102, 134, 135, 136, 137, 138, 139/2, 140/2A, 143/2, 144, 145, 146, 147, 148, 149, 150, 151/1- 151/1A- 151/2, 152/2, 153, 154, 155/1- 155/2, 156, 157, 158, 159, 160/1- 160/2, 161, 162/1- 162/2, 163, 168, 169.

Boundary description :-

- F – I :** Line starts from point 'F' and passes through village Aheri along the Southern Bank of Wardha River and outer boundary of plot numbers 2, 3, 7, 8, 9/1- 9/2- 9/3, 11, 12 and meets at point 'I'.
- I – J :** Line passes along the common village boundary of villages Aheri and Borgaon and outer boundary of plot numbers 12, 13, 17, 18, 19, 20, 21, 22, then proceeds through village Borgaon along the outer boundary of plot numbers 169, 168, 163, 161, 158, 155/1- 155/2, 94/A- 94/B- 94/C, 98, 99, 100, 79, and meets at point 'J'.
- J – K :** Line passes through village Borgaon along the outer boundary of plot numbers 79, 102, 101/1- 101/2, 136, 135, 134 and meets at point 'K'.
- K – F :** Line passes through village Borgaon along the outer boundary of plot numbers 134, 140/2A, 139/2, 143/2, 152/2, crosses common village boundary of villages Borgaon and Aheri then proceeds through plot numbers 60/1 (Part), 50 (Part), 51/2- 52/3- 53/4 (Part), 48/1 (Part)- 48/1A- 48/2 (Part), 31 (Part), 29 (Part), 32 (Part), 35 (Part), 36 (Part), crosses road then proceeds through plot numbers 4 (Part), 1 (Part), 2 (Part) and meets at starting point 'F'.

[No. 43015/15/2004-PRW]
M. SHAHABUDEEN, Under Secy.

श्रम और रोजगार मंत्रालय

नई दिल्ली, 29 अगस्त, 2006

का.आ 3823.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार प्रसार भारती ब्रॉडकास्टिंग कॉर्पोरेशन आफ इण्डिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चेन्नई के पंचाट (संदर्भ संख्या 401/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-8-2006 को प्राप्त हुआ था।

[सं. एल-42012/126/2003-आई आर(सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 29th August, 2006

S.O. 3823.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 401/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Chennai now as shown in the Annexure in the Industrial Dispute between the management of Prasar Bharati, and their workman, received by the Central Government on 29-8-2006.

[No. L-42012/126/2003-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI**

Monday the 15th May, 2006

Present: K. Jayaraman, Presiding Officer

Industrial Dispute No.401/2004

[In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947(14 of 1947), between the Management of Prasar Bharati and their workmen]

BETWEEN

The General Secretary,
Broadcasting Engineering
Employees' Union

I Party/Claimant

AND

The Administrative Officer,
Prasar Bharati, Broadcasting
Corporation of
India, Doordarshan Kendra, Chennai

II Party/Management

APPEARANCE:

For the Claimant : M/s. P. Chandrasekaran,
Advocates

For the Management : Mr.M. Venkateswaran,ACGSC

AWARD

The Central Government, Ministry of Labour vide Order No.L-42012/126/2003-IR(C-II) dated 4-8-2004 has referred the dispute to this Tribunal for adjudication. The Schedule mentioned dispute is as follows :—

“Whether the non-payment of OTA by the management of Broadcasting Corporation of India, Doordarshan Kendra, Chennai is legal and justified? If not, to what relief the workmen are entitled?”

2. After the receipt of the reference, it was taken on file as I.D. No. 401/2004 and notices were issued to both the parties and both the parties entered appearance through their advocates and filed their Claim Statement and Counter Statement respectively.

3. The allegations of the Petitioner Union in the Claim Statement are briefly as follows :—

The Petitioner is a registered union under Trade Union Act bearing Registration No.2670/CN1 and is functioning for the welfare and general upliftment of the conditions of service, of employees employed under Respondent/Management. The Respondent/Management is an autonomous corporation and it is an industry within the meaning of Section 2(j) of I.D. Act. The workmen are involved in transmission activities round the clock including recording and news coverage and they work in four shifts pattern. The Respondent/Management is paying over time allowance to all the shift duty employees at the rate paid to operative staff which is very low compared to the allowance paid to industrial workmen as per the Government of India order. The operative staff overtime allowance is also not given to workmen whose salary exceeds the basic pay of Rs. 2200 (old pay scale) and because of this restriction, the workmen like engineering assistants and senior engineering assistants are not given the over time allowance as per Government of India operative staff rates. Therefore, the Petitioner union claimed industrial over time allowance as per labour laws to all workmen. The railway industry which also comes under Government of India pays over time allowance to its workmen at the rate of 1½ times, the ordinary rate of pay in case where overtime worked within the limits of rostered hour in other cases the payment of over time allowance will be made twice the ordinary rates. The Railway Labour Tribunal in the year 1969 adjudicated upon the demands of railway workmen and recommended for over time allowance at the rate of 1½ times of ordinary rate of pay for work done beyond rostered hours. The workmen under the Respondent/ Management are working under staffed against the Staff Inspection Unit norms because of the redeployment the workload was tremendously increased but the units are understaffed but the over time allowance has not increased beyond the allowance given to operation staff level. The Government of India extends over time allowance under Factories Act to the Govt. presses where the prescribed weekly norm of

48 hours is compensated in the form of over time allowance at double the time rate. Therefore, the denial of over time allowance at the rate of industrial staff is violative of Article 14 of Constitution of India. Under Factories Act, if the manufacturing process being carried on in the premises, it should be considered as a factory, Section 2(k)(1) of Factories Act defines 'manufacturing process' wherein it is stated that making, altering, repairing, ornamenting, finishing, packing, oiling, washing, cleaning, breaking up, demolishing or otherwise treating or adapting any article or substance with a view to its use, sale, transport delivery or disposal..." In this case, the broadcasting involves a process of capturing visuals and delivering it to Viewers and visual includes not only persons but also articles. Therefore, the process of broadcasting is basically capture of image to camera synchronising with the commentary, dialogue or any verbal communication as the case may be and broadcast it to the Viewers through broadcasting mechanism. Therefore, broadcasting is a manufacturing process within the meaning of Section 2k of Factories Act and therefore, DDK, Chennai is a factory within the meaning of Section 2(m) of Factories Act. Under Section 59 of Factories Act, a worker who works over time in a factory shall be entitled to twice his ordinary rate of wages in respect of over time work. Therefore, it is mandatory under Factories Act to pay double wages to the workmen who works over time as per provisions of Factories Act. Hence, the Petitioner union prays that the members of the union are entitled to over time allowance as that of other industrial workers at the rate of twice the wages and allowances and also prays to pass an award to that effect.

4. As against this, the Respondent in its Counter Statement alleged that the Respondent/Management has no knowledge about the registration of Petitioner union. The Petitioner union is not a recognised staff association by the Respondent. Though the Prasar Bharati came into existence w.e.f. 23-11-97, employees working under All India Radio and Doordarshan are still Govt. servants on deemed deputation and governed by CCS rules. Therefore, the Petitioner association cannot sustain this claim petition. The Petitioner describing themselves as workmen within the meaning and definition of I.D. Act are fiction of the Petitioner's own imagination. Therefore, the employees posted at DDK, Chennai do not fall within the meaning and definition of workman under I.D. Act. Since they are Govt. servants on deemed deputation and governed by Govt. rules, they are governed by Over Time Rules framed by Ministry of Finance. Even though the Prasar Bharati Corporation have not framed any rules with regard to OTA, if the staff is detained for over time duty in the exigency of service, even now over time allowance is paid to such staff. The Petitioner is trying to confuse the issue by misinterpreting the terms Factory and Manufacturing process as defined under Factories Act and equating Doordarshan and its activities as a factory. This amounts

to distortion of law for gaining undue advantage. Since the DDK are not covered under the definition of a factory, the demand of Petitioner regarding payment of over time allowance / wages as per provisions of Factories Act is unjustified and liable to be dismissed. Hence, for all these reasons, the Respondent prays to dismiss the claim with costs.

5. In these circumstances, the points for my consideration are :—

- (i) "Whether the non-payment of OTA by the Respondent/ Management as claimed by the Petitioner union is legal and justified?"
- (ii) "To what relief the workmen are entitled?"

Point No.1:—

6. In this case, the Petitioner claims over time allowance, as per Industrial law and they claim at the rate of twice the wages and allowances for which they alleged that DDK, Chennai is, an industry within the meaning of Section 2(j) of I.D. Act and relied on the rulings of the Supreme Court reported in 1998 1 SLJ 377 ALL INDIA RADIO Vs. SRI SANTOSH KUMAR & ANOTHER, wherein the Supreme Court has held that "the functions which are carried on by All India Radio and Doordarshan cannot be said to be confined to sovereign functions as they carry on commercial activity for profit by getting commercial advertisements, telecast or broadcast through their various Kendra's and stations by charging fees. Therefore, they are industry within the meaning of Section 2(j) of the I.D. Act as applicable to them." In the Respondent/Management the members of the Petitioner union involved in transmission activities round the clock including recording and news coverage and they normally worked in four shifts pattern and in this very often they have to work in recording and editing shifts which are extended from 17.20 hrs to 21.20 hrs. Though the DDK, Chennai is paying over time allowance to all the shift duty employees at the rate paid to operative staff which is very low when compared to the allowance paid to industrial workmen as per Government of India order. Further, the Engineering Assistants & Senior Engineering Assistants were not given over time allowance as per Government of India operative staff rates. Therefore, they are, claiming industrial over time allowance as per industrial labour laws to all workmen. They have also compared the work of DDK to Railway administration work.

7. The learned counsel for the Petitioner contended that Railway industry which also comes under Government of India, pays over time allowance to its workmen at the rate of 1 1/2 times the ordinary rate of pay in case, where overtime worked within the limits of rostered hour and in other cases, the payment of over time allowance will be made twice the ordinary rate. It is further contended by the Petitioner that since the broadcasting involves the process

of capturing visuals and delivering it to viewers and visuals which includes not only persons but also articles, the broadcasting is a manufacturing process within the meaning of Section 2k of Factories Act and they further contended that DDK at Chennai is a factory within the meaning of Section 2(m) of Factories Act. It is the further contention of the learned counsel for the Petitioner that Section 59 of Factories Act prescribes that a worker who works over time in a factory shall be entitled to twice his ordinary rate of wages in respect of the over time work. Therefore, the employees of DDK, Chennai, who are members of the Petitioner union are entitled to over time allowance as per the provisions of Factories Act.

8. In order to establish their case, on the side of the Petitioner the General Secretary of the Petitioner union one Mr. R. Iyyasamy was examined as WW1 and he has stated what are all alleged in the Claim Statement. He further stated that the Respondent/Management even in giving over time allowance to operative staff, they are following only CCS Rules of 1986 and they have not revised the same as per V. Pay Commission. Through him a copy of the order of Supreme Court in the case of ALL INDIA RADIO Vs. SRI SANTOSH KUMAR & ANOTHER was marked as Ex.W1. They also marked the copy of Railway Board order No. 32/98 as Ex. W2. They have also marked copy of Railway Labour Tribunal order in the year 1969 as Ex.W3. Ex.W4 is the copy of letter dated 24-11-2003 from Petitioner union to II Party/Management.

9. But, as against this, Respondent/Management contended that even though Prasar Bharati Corporation has been formed on 23-11-1997, the employees working in All India Radio and Doordarshan are still Govt. servants and deemed deputationists and governed by CCS Rules and therefore, the employees posted at DDK, Chennai do not fall within the meaning and definition of workmen under I.D. Act. Secondly, it is contended that since the staff working in Prasar Bharati are Govt. servants on deemed deputation, they are governed by govt. rules and governed by over time allowance rules framed by Ministry of Finance and as such, they cannot claim over time allowance as per Factories Act. Thirdly, it is contended that equating Doordarshan and its activities as a factory amounts to distortion of law for gaining undue advantage and the DDK are not covered under the definition of a factory, therefore, the demand of Petitioner regarding payment of wages and over time allowance as per provisions of Factories Act is unjustified. Therefore, the Respondent prays to dismiss the claim of the Petitioner.

10. In this case learned counsel for the Petitioner vehemently contended that under Factories Act 'Factory' is defined under Section 2(m) in which one of the provisions required to satisfy the definition of a factory is that there may be a manufacturing process being carried on in the

premises, and manufacturing process is defined in Section 2k(1) which says, "manufacturing process means any process for making, altering, repairing, ornamenting, finishing, packing, oiling, washing, cleaning, breaking up, demolishing or otherwise treating or adopting any article or substance with a view to its use, sale, transport delivery or disposal..." and he further argued that broadcasting in the Respondent involves process of capturing visuals and delivering it to the viewers and visual includes not only persons but also articles and the process of broadcasting is basically the capture of image to the camera synchronising with the commentary, dialogue or any verbal, communication as the case may be and broadcast it to the viewers through broadcasting mechanism and the eventual use is education or entertainment for information or communication and therefore, broadcasting is a manufacturing process within the meaning of Section 2k of Factories Act. He further argued that DDK, Chennai is a factory within the meaning of Section 2(m) of Factories Act. It is further argued on behalf of the Petitioner that Section 59 of Factories Act prescribes that a worker works over time in a factory shall be entitled to twice his ordinary rate of wages in respect of over time work and therefore, it is mandatory to pay over time allowance to employees of the Respondent/Management who works over time as per the provisions of Factories Act.

11. But, I find the learned counsel for the Petitioner wanted to stretch the definition to include broadcasting process as a manufacturing process. Though the learned counsel for the Petitioner argued that process of broadcasting which is basically capture of image to camera synchronizing with the commentary, dialogue or any verbal communication as the case may be and broadcast it to the viewers through broadcasting mechanism and with a view to its use, it should be termed as manufacturing process, I am not of the view that this definition of Section 2k(1) will attract the process of broadcasting mechanism. Therefore, I am not inclined to accept the contention of the learned counsel for Petitioner that the broadcasting process in DDK, Chennai is a manufacturing process within the meaning of Section 2k and the Respondent broadcasting station is a factory within the meaning of Section 2(m) of Factories Act. On the other hand, even though the Respondent contended that employees working in AIR & Doordarshan are still Govt. servants and deemed deputationists and governed by CCS Rules and hence the Petitioner union cannot sustain this claim petition before this Tribunal, I find this contention of the Respondent/Management is not valid because the Prasar Bharati came into existence on 23-11-1997. Though the employees working AIR & Doordarshan are Govt. servants on deemed deputation as per judgement of Division Bench of Madras High Court, the contention of the Respondent that this petition before this Tribunal is not maintainable is without any substance because the Supreme Court has already held that AIR &

Doordarshan are Industries within the meaning of Section 2(j) of I.D. Act and hence, the Respondent's further contention that employees of DDK do not fall within the meaning and definition of workman under I.D. Act is also without any substance.

12. The next thing to be decided in this case is whether the concerned employees are entitled to claim over time allowance as alleged by them?

13. Learned counsel for the Respondent contended that still the Prasar Bharati Corporation has to frame rules and regulations as per the extant rules issued by the Government of India and if a staff is detained for over time work in the exigency of service, over time allowance is paid to such staff. But in view of the fiscal prudence and austerity measures issued by Government of India in order to curtail the expenditure within budgetary provisions, over time allowance has been rationalised and the staff is being deployed on over time only when it is absolutely essential to do so. It is further argued on behalf of the Respondent that till date, there is no Bipartite Settlement or agreement entered into between the Prasar Bharati and Petitioner union or with any other service associations with regard to payment of over time allowance the service conditions, rules etc. for implementation of the Prasar Bharati Act are yet to be finalized and till such time, the Respondent has to follow only the existing instructions/rules and accordingly, the Govt. instructions in this regard are being followed by the Respondent/Management. It is further argued on behalf of the Respondent that no doubt, the Petitioner has produced Railway Board Order No. 32/98 and also Railway Labour Tribunal order, but they have no relevance to the Respondent/Management because they were based on different circumstances by the authorities and the Petitioner has not stated how this order passed by Railway Board and Railway Labour Tribunal will be applicable to the facts and circumstances of this dispute.

14. Again, learned counsel for the Petitioner contended that when the Petitioner union examined the General Secretary of the Petitioner union and when he has given the evidence that Factories Act is applicable to DDK, it was not cross-examined by the Respondent/Management and therefore, it should be deemed that there is no cross-examination and they have deemed to be accepted the contention of the Petitioner union. Therefore, the Respondent/Management cannot dispute the fact that DDK which is doing manufacturing process are within the definition of factory as defined under Factories Act.

15. As I have already stated I am not inclined to accept the contention of the Petitioner. But, it is admitted by the Petitioner that even now the DDK is giving over time allowance to operative staff whose salary does not exceed the basic pay of Rs. 2200 (old pay scale) and their grievance is that because of this restriction workmen

like Engineering Assistants/Senior Engineering Assistants are not given over time allowance as per Government of India operative staff rates and their further grievance is that strength of employees is not maintained as per Staff Inspection Unit norms. It is their further contention that Respondent/Management is following CCS Rules, 1986 and they have not revised the same as per V Pay Commission recommendation with regard to over time allowance.

16. Since I find some force in the contention of the learned counsel for the Respondent with regard to distribution of over time allowance to employees of DDK namely over time allowance is paid to the staff as per over time allowance Rules framed by Ministry of Finance, since the Prasar Bharati Corporation has not evolved any rules and since there is no Bipartite Settlement or agreement entered into between the Prasar Bharati and Petitioner union with regard to payment of over time allowance, the Respondent/Management has been following only the existing instructions and rules issued by Government of India. Therefore, I find till such time or till any agreement/settlement being entered into between Prasar Bharati and Petitioner union, the existing rules/instruction are to be followed for over time allowance. The main grievance of the Petitioner union is that they have not paid over time allowance as per V Pay Commission recommendation and this fact was not disputed by the Respondent/Management. Therefore, while directing the Respondent/Management to follow the 5th Pay Commission recommendation with regard to over time allowance, I find the claim made by the Petitioner union with regard to non-payment of over time allowance as per Factories Act is not justified.

Point No. 2 :

The next point to be decided in this case is to what relief the Petitioner is entitled ?

17. In view of my foregoing findings, I find that DDK, Chennai is not a factory as alleged by the Petitioner union, I find they are not entitled to claim over time allowance as alleged by them But, at the same time, I direct the Respondent/Management to follow the recommendation of 5th Pay Commission for over time allowance in respect of operative staff. No Costs.

18. Thus, the reference is answered accordingly.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 15th May, 2006.)

K. JAYARAMAN, Presiding Officer

Witnesses Examined :—

For the I Party/Claimant : WWI Sri R. Iyyaswamy
For the II Party/Management : None

Documents Marked :—

For the I Party/Petitioner :—

Ex.No.	Date	Description
W1	05-02-98	Xerox copy of the order of Hon'ble Supreme Court
W2	Nil	Extract of Railway Board Order
W3	Nil	Extract of Chapter XXVI in Railway Labour Tribunal, 1969
W4	24-11-03	Xerox copy of the letter from Petitioner union to Respondent/ Management

For the II Party / Management :— Nil.

नई दिल्ली, 29 अगस्त, 2006

का.आ. 3824.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूनियन बैंक ऑफ इंडिया के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय गोहाटी के पंचाट (संदर्भ संख्या 2/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-8-2006 को प्राप्त हुआ था।

[सं. एल-12011/48/2002-आई आर(बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 29th August, 2006

S.O. 3824.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 2/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Guwahati as shown in the Annexure in the Industrial Dispute between the management of Union Bank of India, and their workman, received by the Central Government on 28-8-2006.

[No.L-12011/48/2002-IR (B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE**IN THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, GUWAHATI, ASSAM**

PRESENT: Sri H.A. HAZARIKA, Presiding Officer,
CGIT -cum-Labour Court, Guwahati.

In the matter of an Industrial Dispute between:

The Management Union Bank of India.

-Vrs-

Their Workman, Sri Roopjyoti Baruah.

Ref. Case No.2 of 2004.

APPEARANCES

Mr. L. P. Sarma,

Mr. S. Chakrabarty, : Learned Advocates for the
Management.

Mr. B. N. Sarma,

Miss R. Phukan, : Learned Advocates for the
Workman

Date of Award : 23-8-06.

A WARD

1. The Government of India, Ministry of Labour, New Delhi vide its Notification No.L-12011/48/2002-IR(B-II) dated 16-05-2002 referred this Industrial Dispute arose between the Management of Union Bank of India and their Workman Sri Roop Jyoti Baruah, in exercise of power conferred by Clause (d) of Sub-Section (1) and Sub-Section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) for adjudication on the basis of the following Schedule:—

SCHEDULE.

“Whether the action of the Management of Union Bank of India. Guwahati in ordering compulsory retirement to Shri Roop Jyoti Baruah, Ex. Head Cashier, Union Bank of India, Guwahati w.e.f 20.10.2000 is legal and justified? If not, what relief Shri Roop Jyoti Baruah is entitled to?”

2. The matter was pending in the State Industrial Tribunal at Guwahati and on inception of this CGIT -Cum-Labour Court as per procedure the Proceeding (record) is transferred and this CGIT-Cum-Labour Court received the same on 16-2-04. On being appearances of both the parties, the matter is proceeded for adjudication and to pass Award here as per procedure.

3. The case of the Workman Sri Roop Jyoti Baruah (Union) in brief from the narration of W. S. he filed that he was Head Cashier in the Sookerating Branch of Union Bank of India of District Tinsukia. That he was suspended vide order dated 7-4-1999 and following which the Charge Sheet dated 20-05-1999 submitted against him by the Disciplinary Authority and gave him 15 days time to submit explanation. He was not authorized and allowed opportunity to inspect the documents. The charge was as follows :

“On 18-01-1999 Sheikh Hazarat, a customer of Sookerating Branch deposited Rs. 5,000 in his SB A/c No. 20. However, Shri Baruah recorded Rs. 4000 in receipt book, whereas an amount of Rs. 5000 was written in counterfoil. On 22-02-1999, when Shri Sheikh pointed out that only Rs. 4000 was credited in his SB A/c, Shri Baruah immediately deposited Rs. 1000/- in SB A/c of Shri Sheikh.”

4. Besides that there are other charges such as gross and minor misconduct. The charges were vague and the workman did not get reasonable opportunities to defend himself effectively. The Enquiry Officer was appointed surreptitiously without informing him or intimating copy of appointment letter. Though he requested the Enquiry Officer to allow him to examine the documents pertaining to the charges no opportunities were given to him. During the course of enquiry the Management examined two witnesses. The workman insisted the examination of Sheikh Hazarat and his son but they were not examined. On a question put in cross-examination of Branch Manager

(MW-I) who was confronted with Ext-4 (counter foil of deposit made on 18-01-1999) as whom did he suspect for alteration made from Rs. 5000 to Rs. 4000. The answer was, the Workman. Then second question was put as to the basis of his suspicion. The answer was, I have seen with my eyes that Shri Roop Jyoti Baruah has made the alteration. But how the same deposit slip could be altered by the workman on 23-02-1999. This aspect has not been considered by the Enquiry Officer. On several counts the enquiry was faulty and defective such as, the Enquiry Officer did not examine the principal witness. That the son of Hazarat who tendered Rs. 4000 on 18-01-1999 was not examined. That the paying-in-slip for Rs. 1000 was written by the Branch Manager on behalf of Hazarat, etc. That the workman filed a statement to the Enquiry Officer showing that on 18-1-1999 the son of Sheikh Hazarat tendered a paying-in-slip and money for depositing in his father's account. That there was no Notice served to the workman. That the Enquiry Officer converted himself as a Disciplinary Authority. That the Enquiry Officer and Disciplinary Authority without proper evidence and without proper analysis of the evidence on record proposed the penalty of compulsory retirement of the workman on ground of doing acts prejudicial to the interest of the Bank involving the Bank to serious monetary loss. What serious monetary loss is caused is silent either in the charge sheet or in the enquiry report. Hence, the Union prayed that the issue may be answered in favour of the Workman.

5. On perusal of record including the Written statements, evidence, I find that the case of the Management in brief is that the related reference is not maintainable. That the Workman committed breach of trust and the relationship of employer and employee terminated due to loss of confidence. That on 18-1-99 Sheikh Hazarat, a customer of Sookreting Branch deposited Rs. 5000 in his Savings Bank Account No. 20 but the workman record Rs. 4000 in Receiving Book whereas an amount of Rs. 5000 was written in counter foil. On 22-02-1999 when Sheikh Hazarat pointed out that only Rs. 4000 was credited to his Savings Bank Account the Workman immediately deposited Rs. 1000 in Savings Bank A/c of Sheikh Hazarat. That the Workman changed the figure Rs. 5000 by tempering and made it Rs. 4000 by his own hand and thereby committed forge. That the workman remained absent without prior permission on 11-3-99. A Memorandum dated 11-3-99 was tried to serve by the Sookreting Manager on the workman, the Workman refused to accept the same. That the workman received Rs. 3000 as salary advance on 5-2-99 without the knowledge and consent of the Branch Manager. That he paid Rs. 30,000 to Vishal Tyres without authentication of the Branch Manager. The Management stressed that the departmental proceeding was held against the workman following proper procedure and reasonable opportunities of being heard was offered to the Workman. That the order of Compulsory Retirement was rightly passed and the reference may be rejected.

6. Heard the argument submitted by the learned Advocates Sri L.P. Sarma assisted by Sri S. Chakrabarty for the Management, also heard the learned Advocates Sri B.N. Sarma along with Miss R. Phukan for the Workman. Perused the following Exhibited documents of the Management. Also perused the following exhibits of the Workman.

Exhibits of the Management.

- Ext. 1: Examination-in-Chief of Sri A.M. Chakma, Br. Manager, Sookreting Branch.
- Ext. 2: Counter foil of deposit slip of Rs. 4000
- Ext. 3: Receipt ledger, dated 18-1-99.
- Ext. 4: Counter foil of deposit slip of Rs. 1000
- Ext. 5: Complaint letter of Sheikh Hazarat dt. 12-3-99.
- Ext. 6: Ledger Dated 23-02-99.
- Ext. 7: Ledger foil of Sheikh Hazarat.
- Ext. 8: Unauthorized absent letter to the Workman by the B.M.
- Ext. 9: Cash voucher of Rs. 3000
- Ext. 10: Memorandum by the D. A. dated 20 May, 1999
- Ext. 11: Reply of the Memorandum by the Workman.
- Ext. 12 & 13: Appointment letter of L. C. Sarma as D. A.
- Ext. 14 & 15: Proceeding of the Enquiry.
- Ext. 16: Findings of the Departmental proceeding.
- Ext. 17: Memorandum.
- Ext. 18: Letter of Workman to D. A.
- Ext. 19: Personal hearing of R. J. Baruah.
- Ext. 20: Penalty Order.
- Ext. 21: Final Findings of the Enquiry.
- Ext. 22: Cheque of Rs. 30,000 by Vishal Tyres.
- Ext. 23: Unauthorised Absent without transfer of Cash key.
- Ext. 24: Cash voucher of Rs. 3000

Exhibits of the Workman.

- Ext. A: Appointment letter of the Workman.
- Ext. B: Posting of the Workman.
- Ext. C: Security deposit of Workman.
- Ext. D: Reply of the Workman in connection to Memorandum to D.A.
- Ext. E: Letter of the D.A. against the reply of Workman.
- Ext. F: Information letter regarding enquiry to the Workman.
- Ext. G: Prayer of workman before the E. O to examine the documents.
- Ext. H: Written statement of Workman.
- Ext. I: Counter foil of deposit slip of Rs. 4000
- Ext. J: Deposit Voucher of Rs. 4000/- on 18-1-99.
- Ext. K: Receipt ledger of the Bank on 18-1-99.

Also perused the case laws submitted by the Management and the Workman. Also perused the Written Argument.

7. During the course of argument Mr. L.P. Sarma assisted by Sri S.Chakrabarty. Advocates for the Management submitted that the Workman Sri Roop Jyoti Baruah withheld Rs. 1000 on 18-01-1999 from stipulated amount of Rs.5000 placed to deposit in the S.B.A/c No.20 of Sheikh Hazarat at the Sookreting Branch of Union Bank of India. But when Sheikh Hazarat complained the Workman deposited Rs. 1000 immediately for the same account belong to Seikh Hazarat Mr. Sarma hammered that the workman was not only disobedient but also used to withdraw money from the Bank without approval and authentication of his higher authority. In such way he took himself advance of Rs.3000 without the approval of Branch Manager so also he has paid Rs.30,000 to Vishal Tyres without approval and authentication from the Branch Manager. He remained absent on 11-3-1999 without permission of the Branch Manager and in this respect when Memorandum was wanted to promulgated on him, he refused to accept and disobeyed the order of the higher authority. So Mr. Sarma very much hammered that due to his habitual misconduct he is not fit to remain in Bank service and he was rightly ordered for Compulsory Retirement while the departmental proceeding was proved against him as per procedure.

8. Mr. Sarma also very much hammered that as regards keeping of Rs.1000 by tempering the figure 5 into 4 in Ext.2 is admitted by the delinquent workman Sri Roop Jyoti Baruah. When the guilt is admitted no further evidence is required though there is enough evidences against him. For the Management it is stressed that departmental proceeding was properly initiated, charge was properly intimated and reasonable opportunities of being heard is fully given to the delinquent workman Sri Roop Jyoti Baruah and the departmental proceeding is proved by two Officers of the Management Bank respectively MW 1 Sri A.M.Chakma and MW 2 Sri R.R.Mahanti.

9. Against the argument forwarded by the Management the learned Advocates for the Workman Sri B.N.Sarma assisted by Mr. R. Phukan also argued the case at length and also submitted written argument. Mr. Sarma stressed much that the Workman has not committed any breach of trust. That the other allegations are also not proved as per procedure. He is the Head Cashier at Sookreting Branch and performed his duty with discipline and obeying his higher authority. That the Disciplinary Proceeding is defective and not proper and acceptable and as such the punishment of Compulsory Retirement is illegal and not prescribed by relevant Rules. That the Departmental Proceeding is very much defective for non-examination of the L.C. Sarma who was the Disciplinary Authority. Mr. Sarma also stressed that the Disciplinary Authority was not properly intimated to the delinquent workman Sri Roop Jyoti Baruah. That reasonable opportunities of being heard

was not offer to the Workman. That the appointment of L.C. Sarma as D.A. in respect of Workman only and it is ultra vires to the Rules. The E.O. can not be permitted to be D.A. It is not known whether Sheikh Hazarat deposited the amount or his son and though request was made from the end of the Workman, neither Sheikh Hazarat nor his son was examined by the Disciplinary Authority. In support of his argument learned Advocate. Mr. Sarma submitted a Written argument and also submitted zerox copies of the following case laws:

1. LLJ 1969 11377(SC)
Central Bureau of India Vrs. Prakash Chand Jain.
2. AIR 1993 SC 2155
Ratanlal Sharma -Vrs- Dr. Hari Ram Higher Secondary School.
3. 2002 Lab IC 521 (SC)
Amar Nath Choudhury -Vrs. Braitwhite & Co. Ltd.
4. Sastry Award.

10. During the course of reply on law points Mr. L.P. Sarma argued very much that the case Laws cited by the Workman side is not befitting with the present facts and circumstances of the case. He again clarified that departmental proceedings is rightly held and there is no bar that E.O. can not be D.A.

11. I have very carefully perused the evidence in the record and the departmental proceeding. I find admittedly the delinquent workman got knowledge that a departmental proceeding was initiated against him and he also learnt the charges. He also admitted that for his defence he engaged Sri J.Chakrabarty, Secretary of the Union concerned. I find the most vital charge was withheld of Rs. 1000 from the amount of Rs.5000 meant for deposition in the name of Seikh Hazarat in his S.B. A/c No.20 at Sookreting Branch of Union Bank of India. A question was raised as regards preliminary hearing of departmental proceeding. I ordered on 30-5-05 for hearing of the preliminary issue along with the main matter. I have thoroughly perused the departmental proceeding and the other documents relevant to the referred matter.

12. I find there is no bar that E.O. can not be D.A. and as per Disciplinary Action and Procedure, Chapter XIII Clause 19.14/19.10.1968 wherein it is clarified that the disciplinary authority may conduct the enquiry himself for the purpose of conducting of enquiry.

13. All in all it is well established that in S.B. A/c No. 20 a sum of Rs. 5000 was tendered on 18-01-99 for deposit in the name of Sheikh Hazarat and Rs. 4000/- (Ext.2) was deposited by the Workman withholding Rs.1000 on 18-01-99 and while complained he deposited Rs. 1000 separately on 23-02-99 (Ext. 4). Under the above facts and circumstances, I find the Workman committed serious misconduct and committed breach of trust. On careful

scrutiny of the case laws, I am agreed with the interpretation forwarded by the learned Management Advocate that these Case Laws are not befitting with the instant matter. I also agree with the learned Advocates for the Management that the Workman admitted that he altered the figure Rs. 4000 by over writing the figure Rs. 5000/- in Ext. 2.

14. As regards punishment of Compulsory Retirement, I find Chapter XIII, Disciplinary Action and Procedure Thereof under Rule 21(IV)/14-2-1995, prescribed for compulsory retirement. The action taken by the Disciplinary Authority is proper and justified.

15. Under the above facts and circumstances I find the Management has rightly punished the delinquent workman Sri Roop Jyoti Baruah for his misconduct by imposing Compulsory Retirement and he is not entitled for any relief. Accordingly the instant Schedule is answered against the Workman and in favour of the Management.

16. Send this Award immediately as per procedure.

H. A. HAZARIKA, Presiding Officer

नई दिल्ली, 29 अगस्त, 2006

का.आ 3825.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन ओवरसीज बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चेन्नई के पंचाट (संदर्भ संख्या 97/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-8-2006 को प्राप्त हुआ था।

[सं. एल-12012/31/2003-आई आर(बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 29th August, 2006

S.O. 3825.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 97/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Chennai as shown in the Annexure in the Industrial Dispute between the management of Indian Overseas Bank and their workman, received by the Central Government on 28-8-2006.

[No. L-12012/31/2003-IR (B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Monday the 22nd May, 2006

PRESENT: K. JAYARAMAN, Presiding Officer

Industrial Dispute No. 97/2003

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section

10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Indian Overseas Bank and their workmen.)

BETWEEN

Sri C. Clement

... I Party/Petitioner

AND

The Chairman-cum-Managing
Director, Indian Overseas Bank, Chennai

... II Party/Management

APPEARANCE:

For the Petitioner

M/s.C.R.Chandrasekaran &

N. Krishnakumar, Advocates

For the Management

Mr. N.G.R.Prasad, Advocate

AWARD

The Central Government, Ministry of Labour *vide* Order No.L-12012/31/2003-IR(B-II) dated 26-5-2003 has referred this industrial dispute to this Tribunal for adjudication. The schedule mentioned dispute in that order is —

“Whether the termination of Shri C.Clement, Thrift Deposit Collector by the management of Indian Overseas Bank is legal and justified and if so, to what relief the workman is entitled to?”

2. After the receipt of the reference, it was taken on file as I.D.No.97/2003 and notices were issued to both the parties and both the parties entered appearance through their advocates and filed their Claim Statement and Counter Statement respectively.

3. The allegations of the Petitioner in the Claim Statement are briefly as follows:

The Petitioner joined the services of the Respondent/Bank branch at Nazarethpet, Poonamallee, Chennai on 8-3-80 on a written order to that effect. The Petitioner was making collections daily and he has to prepare in duplicate a statement of collections in a prescribed format and he has to deposit the same in Respondent/Bank every day's collection on the next working day with the above said statement of account and counterfoil signed by depositors. There was no fixed time for the claimant to devote to his work and/or for his attendance in the branch but his daily attendance was required in the branch. Long and short of it, he used to discharge clerical duties apart from the manual work of making collection of deposits. The Respondent/Bank being a nationalised bank is to mobilise deposits in rural and semi-urban areas from members of public especially those belonging to middle and lower middle class

and tap their deposit potential. The Respondent/Bank has framed rules with regard to thrift deposit collection. Opening of account will have to be done in the presence of officers of Respondent/Bank. In other words, the claimant has to enroll deposit holders under the supervision and guidance of officials of Respondent/Bank and he has also to fill up necessary forms including ledgers in branch with effective exercise of control by branch officials. Certain percentage of wages paid in the name of commission was retained by the Respondent/Bank towards cash security until the quantum thereof came upto Rs. 1000/- and the cash security is still held by the Respondent/Bank. While so, all of a sudden on 26-6-2000 the Respondent/Bank asked the Petitioner orally not to report for duty and not to make any collections henceforth and thus, orally terminated him from service. From that date onwards, the Petitioner approached the Respondent/Bank every now and then but without any result. The reason for the disengagement of the Petitioner came to the Petitioner only from the reply to his submissions in the conciliation proceedings. In that statement, the Respondent/Bank has stated that the Petitioner misappropriated Rs. 4785/- on 23-4-89. If really, it was a fact that the Respondent/Bank need not have waited till as late as 26-6-2000 to orally ask him not to report for duty and make any collections thereafter. No enquiry was conducted against the Petitioner in regard to this allegation in terms of procedure laid down for workmen in the administration of Respondent/Bank. Therefore, the Petitioner's termination from the services of Respondent/Bank as Thrift Deposit Collector on 26-6-2000 is not legal and justified and the Petitioner is entitled to the relief of reinstatement as Thrift Deposit Collector from the date of his termination with all attendant benefits including wages.

4. As against this, the Respondent in its Counter Statement contended that no doubt the Petitioner was working as Thrift Deposit Collector at Nazarethpet, Chennai, but he was not a regular employee of the bank. His work was to collect thrift deposit from customers and remit the same the next day itself for which he was paid commission by the bank. The bank did not have any control over him and he was not required to attend the bank every day. Unlike other employees he was not required to sign the attendance register. While so, on 8-7-99, the bank found that though the Petitioner had collected thrift deposit from customers amounting to Rs. 4785/- he did not bother to remit the amount for nearly 76 days. On 9-7-99, the Petitioner gave an apology letter. On 7-12-99 the Marketing & Development department at Central Office had advised the Respondent/Bank Regional Office, Chennai to recover the amount of Rs.4785/- with 18.87 % interest per annum from the claimant and also to disengage him. Thereafter, the Petitioner was disengaged from 26-6-2000. Since the Petitioner was not a regular employee, no enquiry was necessary to disengaging him. The Respondent is willing to lead evidence to establish the same. Trust and

confidence is very important because thrift deposit collectors are expected to collect the customer's money and remit the same into the bank on that day itself and therefore, it is not possible to restore him in service. The Respondent/Bank has not confidence in the Petitioner. Therefore, the Respondent prays that the claim may be dismissed with costs.

5. In these circumstances, the points for my determination are :—

- (i) "Whether the termination of the Petitioner from service by the Respondent/Management is legal and justified?"
- (ii) "To what relief, the Petitioner is entitled?"

Point No.1:

6. The allegations of the Petitioner are that he joined the Respondent/Management as thrift deposit collector in its branch at Nazarethpet, Poonamallee and he has been making all endeavours to enhance collection for the purpose of the scheme being to initiate, generate and encourage savings of Respondent/Bank. While so, all of a sudden on 26-6-2000, the Respondent/Bank asked the Petitioner orally not to report for duty and not to make any collections henceforth and thus, orally terminated him from service.

7. But, as against this, the Respondent contended that no doubt, he worked as thrift deposit collector at Nazarethpet, Poonamallee and it is his duty to collect the small amounts given by the customers and to remit the same on the next working day itself for which he was paid commission by the Respondent/Bank. While so, on 8-7-99, the Respondent/Bank found that though the Petitioner had collected thrift deposit from customers amounting to Rs.4785/- he did not bother to remit the amount for nearly 76 days and only on 9-7-99, the petitioner gave an apology letter and also remitted the amount and therefore, as per the direction of Marketing & Development Department at Central Office he was disengaged. Since the Petitioner was not a regular employee, no enquiry was conducted for disengaging him. At the time of enquiry, learned counsel for the Petitioner wanted to take preliminary issue that without any enquiry, the Petitioner has been terminated from service and therefore, the termination is illegal. This Tribunal, after hearing on the preliminary issue has held that without any enquiry, the Petitioner was terminated from service, which is not fair and proper and further held the Respondent has to adduce evidence with regard to the allegations made against the Petitioner. After that the Respondent/Management has examined one Mr. N.Sampath now working as Deputy Manager of Respondent/Bank at Nazarethpet branch and marked documents on their side as Ex. M I to M8. As against this, the Petitioner examined himself as WW1 and produced documents Ex.W1 to W14.

8. Learned counsel for the Petitioner contended that the Supreme Court In 2001 3 SCC 36 INDIAN BANKING ASSOCIATION [Representing 48 banks] Vs. WORKMEN OF SYNDICATE BANK AND OTHERS has held that "thrift deposit collectors are workmen under I.D. Act, though they are not regular employees. It has further held that "they should be paid full back wages of Rs. 750/- per month linked with minimum deposit of Rs. 7500/- per month plus incentive remuneration of 2% for collection of over and above Rs. 7500/- and so on." Though the Petitioner ought to have been paid arrears of his wages and conveyance allowance from the date of his appointment or atleast from the date of decision of Supreme Court on 13-2-2001 retrospectively, the Respondent/Management has not made any payment till to-day. The Petitioner has been collecting average amount of Rs. 1,00,000/- as thrift deposit every month. Even under Ex. W 4 series which is an appreciation letter given by the top officials of the Respondent/Bank and from Ex. W8 it is clear that even after his oral termination, the Petitioner came to the rescue of the bank securing sale of shares of the bank in the market in just a day and that too a couple of days before the closure of shares floated in the market. But these acts of the Petitioner were not appreciated by the bank. No doubt, the amount collected by the Petitioner on 23-4-99 was not deposited but the Respondent/Bank has not considered the reason for not depositing the amount in the bank 23-4-99 was a Friday and the next day i.e. 24-4-99 (Saturday) was suddenly declared as a local holiday for enumeration (election) work. Therefore, the Petitioner could not remit the amount which he collected on 23-4-99 on the next day and he made collection on 24-4-99 also and on the next working day namely on 26-4-99, Monday instead of remitting the collected amount for both days, he remitted the amount only for 24-4-99 as he forgot and omitted due to inadvertence to remit 23-4-99 collections. He has explained this mistake when it was pointed out to him more than 2½ months later on 8-7-99. Even in his evidence, he has stated that his Mother was very ill having sustained complicated fracture on 21-4-99 and she was taken to local hospital where her wrist and forearm were bandaged for plastering on the following day and since she was experiencing severe pain, the Petitioner took her to Puttur bonesetter miles away from his place on 22-4-99 as well as 23-4-99, which was established by documents under Ex. W5 series and W6. Because of this calamity at home causing mental tension and anxiety and because 24-4-99 was suddenly declared as a holiday and 25-4-99 was a Sunday, the collections he made on 23-4-99 slipped from his mind. This evidence of the Petitioner was not disputed or doubted by the Respondent/Bank branch at Nazarethpet Branch. In spite of this, he dutifully made collections on all these days and the Respondent/Bank has not disputed this fact with any material before this Tribunal. Therefore, it is an unchallenged deposition of WW1 namely the Petitioner that the bank insisted on their taking M1 as a pre-condition

to allow him to remit the amount collected on 23-4-99 and on 9-7-99 Ex. M1 was written by the Petitioner. Not only that the penal interest @ 18.5% was collected from him for depositing the amount after 2½ months. Therefore, Ex. M1 cannot be held as apology letter even though it was extracted from him which was not disputed by the Respondent/Bank with any substantial evidence. Even assuming without admitting that Ex. M1 is an apology letter, it is not confession of guilt of misappropriation as alleged by the Respondent. It is his evidence and also the statement that he has not committed any mistake during the 19 years of his past service and that in future such mistakes would not occur, thereby the act of omission was only a mistake and not intentional but due to circumstances explained therein and hence he pleaded that he might be excused. Therefore, this admission cannot be taken as an apology made by the Petitioner. It is also clear from the evidence of the Petitioner that he was doing chit fund business also during the relevant time and he has collected Rs. 1,80,000/- every month as chit fund amount. Therefore, while interpreting any admission as confession, the admission must be explicit and unequivocal and it cannot be split up. It can be used as a whole or not at all. This dictum was made in 1988 6 ATC 830. In any event, the value of admission depends on the circumstances and evidence of such circumstances is always receivable affecting the very admission itself. Therefore, viewed from another angle, the contents of Ex. M1 cannot be taken as confession of his alleged guilt.

9. In this case, even after an opportunity was given to the Respondent/Management to establish the guilt against the petitioner, the Respondent/Management has not given any specific charge against the Petitioner. No definite charge has been framed against the Petitioner to defend himself. No evidence has been let in against the Petitioner in any conceivable manner. Though the Respondent alleged that the Petitioner has committed temporary misappropriation, this allegation must be proved with satisfactory evidence by the Respondent/Management. But, from the evidence of MW1 or from the documents produced by the Respondent, nothing was established before this Court that the Petitioner has misappropriated the funds of the bank. Generally misappropriation means fraudulent appropriation of funds or property entrusted to one person's care but actually owned by someone else. Dictionary meaning of 'misappropriation' is 'to appropriate wrongly' to put to a wrong and dishonest use and the Oxford Dictionary defines the same as 'dishonesty and unfairly take for one's own use'. In this case, though claim was made that the Petitioner has misappropriated the funds of Respondent, no satisfactory evidence was adduced to substantiate their claim and till the end of proceedings it was remained as allegation and it was not proved. Even the Respondent has relied on Ex. M1, which according to them an apology

letter, it is admittedly not a document from the Petitioner owing any act of misappropriation. Though the Respondent has produced 8 documents, none of the documents proved the allegation against the Petitioner that he has misappropriated the amount under Ex.M2, as it is just a piece of paper not bearing the signature or authentication from anyone. Even from Ex.M2, it cannot be said that the Petitioner has misappropriated the collection amount made on 23-4-99 and it is an alleged internal correspondence of the bank, a day after Ex.M1 was given and as it bears no allegation against the Petitioner of misappropriation. Ex.M3 which was also an alleged internal correspondence, which was not received by the Nazarethpet branch and there was no number or seal on it and it appears to be a letter from Regional Office; Madras North and not from Regional Office Non-metro. It is also not spoken anything much less about the alleged misappropriation. Ex.M4 on the face of the document it is not addressed to Nazarethpet branch and this document also does not speak about any misappropriation. It recommends discontinuation of T.D. scheme in Nazarethpet branch. Ex.M5 is also not relating to Respondent/Bank branch. Ex.M6 is the sundry creditors credit voucher dated 9-7-99 for 4785 evidencing remittance of 23-4-99 TD collection made by the Petitioner and signed by branch official after Ex.M1 was taken from the Petitioner. Even in that remittance, it does not allege or contain to say that it relates to misappropriation of the Petitioner committed on 23-4-99. Therefore, none of the documents produced by the Respondent clinchingly proves that the Petitioner has misappropriated the funds belonging to the Respondent/Management. Though MW1 was examined on the side of the Respondent to prove the allegations against the Petitioner, he was working at Nazarethpet branch only from 16-1-2002 namely three years after the incident and he has no knowledge of any kind regarding the alleged transaction. He can at the best be a witness for the purpose of introducing documents of Respondent and for nothing else. Even assuming that MW1 is examined to prove the case, there is no oral evidence to speak on the contents of the documents produced by the Respondent/Management. MW1 has been producing the document without speaking anything about the same. However, MW1 does not know or remember anything about T.D. collection matters. Therefore, he is a stranger to the T.D. scheme and could not testify any misappropriation against the Petitioner. Even though this Tribunal has permitted the Respondent/Management to adduce evidence with regard to the allegations made against the Petitioner, it was not satisfactorily proved before this Tribunal that the Petitioner has misappropriated the funds of the Respondent/Bank as alleged by them. The course that ought to have been taken by Respondent/Management is at the first instance, to give the Charge Sheet to the Petitioner clearly setting forth the circumstances against him, because issuance of Charge Sheet is crystallization of allegation and it is part of adducing evidence before this Tribunal. Further, provisions

of para 17.1 and 17.12 of Chapter 17 of Bipartite Settlement dated 14-12-66 clearly envisages such procedure. Further, the Petitioner was allowed to continue in service till his oral termination on 26-6-2000 more than one year later which fact shows that his continuing in service was not prejudicial to the interest of the bank. Therefore, the oral termination is illegal and not justified.

10. But, as against this, learned counsel for the Respondent contended that the Petitioner who joined as thrift deposit collector on 8-3-80 is well aware that he is duty bound to deposit every day's collection on the next working day in the Respondent/Bank as per thrift deposit scheme. On 8-7-99 the Respondent/Bank found out that though the Petitioner has collected thrift deposit from customers amounting to Rs.4,785 he did not bother to remit the amount for nearly 76 days and only on 9-7-99 the Petitioner after admitting his guilt remitted the collected amount into the bank. Therefore, it is clear that the petitioner has temporarily misappropriated the collected amount and hence the Respondent/Bank disengaged the Petitioner w.e.f. 26-6-2000. When the dispute was pending before this Tribunal, preliminary issue was framed with regard to fairness of enquiry and this Tribunal on 20-1-2005 passed an order directing the Respondent/ Bank to adduce evidence with regard to misappropriation committed by the Petitioner. The Respondent/Bank filed necessary documents to establish the misconduct of the Petitioner. MW1 Deputy Manager of Nazarethpet branch of Respondent/Bank has clearly stated with regard to misappropriation of the, Petitioner. Further WW1 namely the Petitioner had sent an apology letter under Ex.M1 to the Respondent/Bank, wherein the Petitioner admits that, the amount collected by him on 23-4-99 and 24-4-99 were remitted into the bank only on 9-7-99 i.e. after 76 days. Further the said amount was remitted into the bank only after he was confronted about its non-remittance and therefore, the act of the Petitioner amounts to temporary misappropriation of bank's funds. Further, Ex.M7 which is thrift deposit collection scroll, which has clearly established that Rs.4,785 was collected on 23-4-99 and Ex.M8 is the copy of officers receipt payment scroll and from this, it is clear that the Petitioner has remitted the amount of Rs. 4,785 only on 9-7-99. These documents are clinching evidence before this Tribunal which clearly establish that the Petitioner has misappropriated the funds of the bank and the action of Respondent/Management in disengaging him from 26-6-2000 is justified. Further, the Supreme Court in a recent judgement reported in 2005 7 SCC 435 has held that "a bank officer is required to exercise higher standards of honesty and integrity. He deals with money of the depositors and customers. Every officer/employee of the bank is required to take all possible steps to protect the interest of the bank and to discharge his duties with utmost integrity, honesty, devotion and diligence and to do, nothing which is unbecoming of a bank officer. Good conduct and

discipline are inseparable from the functioning of every officer/employee of the bank." In this case; since the Petitioner has misappropriated the amount and since he has rotated the amount in his private business and he has deposited the amount only after 76 days from the date of collection, the bank has lost confidence in the Petitioner. Therefore, the Respondent/Bank was justified in disengaging the Petitioner from service. Learned counsel for the Respondent further contended that in another judgement reported in 2006 2 SCC 255 T.N.C.S. Corporation Ltd. & Ors. Vs. K. Meera Bai, the Apex Court has held that "if an employee is found guilty of misappropriating the employer Corporation's fund, the primary factor to be taken into consideration is loss of confidence and not the amount misappropriated." In this case, it is admitted by the Petitioner that he has been conducting chit fund business privately and he has collected more than Rs.1,80,000/- every month in the chit fund. It is also admitted by the Petitioner that he has misutilised the bank's funds along with chit fund business. Under such circumstances, the act of the Petitioner amounts to misappropriation of bank's funds and therefore, the action taken by the Respondent/Management is legal and justified.

11. But, again the learned counsel for the Petitioner contended that even though it is alleged that the Petitioner has misappropriated the funds of the bank, nothing was elicited from the Petitioner or nothing was adduced on the side of the Respondent/Bank that Petitioner has misappropriated the amount and only due to inadvertence and only due to the calamity at home which caused mental tension and anxiety to the Petitioner, he has not deposited the amount on 26-4-99 namely the next working day. The Respondent/Bank has not disputed the fact given by the Petitioner nor adduced any contra evidence on their side. Under such circumstances, it should be presumed that only due to calamity at home causing mental tension and anxiety to the Petitioner, he has not made the deposit into the bank on the next working day and at no stretch of imagination, it can be said that he has misappropriated the funds intentionally. He further relied on the judgement reported in 1985 II LLJ 1984 Shankar Dass Vs. Union of India and Another wherein Three Members Bench of Supreme Court has held in a criminal case of breach of trust that "Court should apply its mind to the penalty which could be appropriately be imposed even where a Govt. servant is convicted for an offence by a Criminal Court". It has further held that "power under Article 311 (2)(a) has to be exercised fairly, justly and reasonably..... But the right given under Article 311(2)(a) to impose penalty carries with the duty to act justly and that on facts, the punishment of dismissal imposed on the Govt. servant is whimsical and the same has to be set aside since the Govt. servant acted under force of adverse circumstances when he committed the offence of breach of trust." Relying on these judgements, learned counsel for the Petitioner argued that the facts in

that case before the Supreme Court were even though grave with conviction by criminal court, the Supreme Court has taken the view to set aside the punishment, whereas the facts in the present dispute before this tribunal were only due to inadvertence of the Petitioner and hence, the ratio held by the Hon'ble Apex Court squarely applies to the present dispute. Again, he reiterated the facts that the Respondent/Bank has not given any definite charge against the Petitioner and no charge has been framed by the Respondent/Bank against which the Petitioner has to defend himself. No evidence was let in by the Respondent/Management in any conceivable manner. It has been held by Supreme Court that "departmental enquiry is not an empty formality, it is a serious proceeding intended to give the officer concerned a chance to meet the charge and to prove his innocence. In the absence of any such enquiry, it would not be fair to strain facts against the appellant and to hold that in view of the admissions made by him the enquiry would have served no useful purpose." Therefore, an opportunity must be given to the Petitioner to meet the charges framed against him. In this case, no charge has been framed against the Petitioner. Even though an opportunity was given by this Tribunal to establish the allegations against the Petitioner, the Respondent/Management has not taken any steps to frame any charge or to establish the allegations made by the Respondent / Bank. Under such circumstances, at no stretch of imagination, it can be said that the allegations namely misappropriation alleged against the Petitioner has been proved in this case. The Respondent/Bank has not proved the dishonest intention of the Petitioner. Under such circumstances, it cannot be said that the Petitioner has misappropriated the funds of the Respondent/Bank and therefore, the disengagement of Petitioner orally is legal and justified.

12. Though I find much force in the contention of the learned counsel for the Petitioner, in this case, it is admitted by the Petitioner that he has conducted chit fund business during that period and further admitted that he has collected Rs.1,80,000 for every month. In this case, it is not the case of the Petitioner that he has kept this amount collected on 23-4-99 separately and due to inadvertence he has not deposited the amount and it is a fact that he has utilized this amount in his private business namely chit fund business. Thus, he has misutilised the funds collected from the customers of the Respondent/Bank. Therefore, I am convinced that the Petitioner has misappropriated the funds of Respondent/Bank. Though the dishonest intention of the Petitioner has not been established, it can be seen from the circumstances of the case and in this case, since he has misutilised the funds collected from the customers of Respondent/Bank, it has to be held that the Petitioner has misappropriated the funds of Respondent/Bank. As such, I find the termination of the Petitioner from service by the Respondent/Management is legal and justified.

Point No. 2:

The next point to be decided in this case is to what relief the Petitioner is entitled?

13. In view of my foregoing findings that the termination of Petitioner from service by the Respondent/Management is legal and justified, I find the Petitioner is not entitled to any relief. No Costs.

14. Thus, the reference is answered accordingly.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 22nd May, 2006.)

K. JAYARAMAN, Presiding Officer

Witnesses Examined :—

For the I Party/Petitioner : WWI Sri C. Clement

For the II Party/Management : MWI Sri N. Sampath

Documents Marked :—

For the I Party/Petitioner :—

Ex.No.	Date	Description
W 1	Nil	Xerox copy of the appointment order.
W 2	8-3-80	Xerox copy of the authorisation issued by Respondent/Bank
W 3	8-3-81	Xerox copy of the authorisation issued by Respondent/Bank
W 4 series	Nil	Xerox copy of the appreciation letters issued by Respondent/Bank
W 5 seres	21-4-99	Xerox copy of the out patient card issued to Petitioner's Mother
W 6	22-4-99	Xerox copy of the receipt of bone cutting hospital, Puttur
W 7	Nil	Xerox copy of the details showing collection made by Petitioner From 1980 to 1997.
W 8	Nil	Xerox copy of the list of shareholders introduced by Petitioner
W 9	20-2-01	Xerox copy of the 2A petition filed by Petitioner
W 10	1-12-01	Xerox copy of the counter filed by Respondent before Assistant Labour Commissioner (Central)
W 11	23-01-02	Xerox copy of the reply submitted by Claimant before Assistant Labour Commissioner (Central)

नई दिल्ली, 29 अगस्त, 2006

का.आ. 3826.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चेन्नई के पंचाट (संदर्भ संख्या 14/05) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-8-2006 को प्राप्त हुआ था।

[सं. एल-12011/159/2004-आई आर(बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 29th August, 2006

S.O. 3826.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 14/05) of the Central Government Industrial Tribunal-cum-Labour Court, Chennai now as shown in the Annexure in the Industrial Dispute between the management of Indian Bank and their workman, received by the Central Government on 28-8-2006.

[No. L-12011/159/2004-IR (B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI**

Thursday, the 27th April, 2006

Present : K. JAYARAMAN, Presiding Officer

Industrial Dispute No. 14/2005

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Indian Bank and their workmen)

BETWEEN

The General Secretary, : I Party/Claimant
Indian Bank Employees' Association

AND

The General Manager, : II Party/Management
Indian Bank, H.Q. Chennai.

APPEARANCE:

For the Claimant : M/s. Muthupandian, Advocates
For the Management : M/s. T.S. Gopalan & Co. Advocates

AWARD

The Central Government, Ministry of Labour vide Order No. L-12011/159/2004-IR (B-II) dated 04-01-2005 has

referred the dispute to this Tribunal for adjudication. The Schedule mentioned dispute is as follows :—

“Whether the action of the management of Indian Bank, Chennai in imposing the punishment of removal from service with superannuation benefits upon Sri V. Suresh, Ex-Clerk/Shroff, Kumbakonam Branch of Indian Bank is legal and justified? If not, what relief the workman is entitled to?”

2. After the receipt of the reference, it was taken on file as I.D. No. 14/2005 and notices were issued to both the parties and both the parties entered appearance through their advocates and filed their Claim Statement and Counter Statement respectively.

3. The allegations of the Petitioner Union in the Claim Statement are briefly as follows :—

The Petitioner union espouses the cause of its member Sri B. Suresh who was working as clerk from the year 1994 in the Respondent/Bank branch at Kumbakonam. While he was working in that branch, a charge sheet was issued on 20-2-2001 alleging that on 3-12-99 he was entrusted with an amount of Rs. 2000/- by S. B. Account No. 24856 holder Mrs. A. Thaiyanayaki and instead of crediting the amount to S. B. account he has credited the same to his S. B. Account No. 23498 maintained in the same branch. Further, he has chosen to post a credit of Rs. 2000/- to the said account No. 24856 on 3-12-99 as if the amount was duly received by the bank and he has debited a withdrawal slip No. 015966 dated 9-11-99 knowing fully well that there was no sufficient balance in that account and when tallying the account, the fictitious credit came to light and he has remitted Rs. 1300/- to cover up the TOD that was encountered in S. B. Account No. 24856. Thus, he has committed a gross misconduct. The preliminary investigation was conducted on 22-2-2000 by Sri R. Chakrapani, but he did not enquire the concerned customer Mrs. A. Thaiyanayaki in whose account the alleged misappropriation was purported to have been committed. Even though it is alleged as misappropriation, it was the negligence and lethargic attitude of Sri Kumanan that resulted in his not seeking the voucher. Had he done that he would have found out that it was a superfluous credit and could have rectified a simple clerical error. On the inferences and surmises of preliminary investigation officer Sri Chakrapani who was also the Presenting Officer for this case and also one of the two management witnesses, the Enquiry Officer has come to the wrong conclusion. The domestic enquiry was not conducted in a fair and proper way so as to arrive at the truth. But the Presenting Officer did not receive any complaint letter from the concerned account holder and a sincere response by the charge sheeted employee was used by the management as a charge against him. In this case, a simple clerical error is the basis of 2nd charge. It is no doubt, a fact that the concerned employee posted the credit of Rs. 2000/- and debit of Rs. 2500/- in the customer's account. As he himself

had remitted the cash in the cash counter as a routine duty, he made the credit entry in the customers' account under the impression that he had remitted Rs. 2000. In customer's account and he had erroneously written his name and account No. in the challan. The usual practice followed in the bank in every day evening is an officer will check the postings in ledger to authenticate the correctness of transactions and the common clerical errors are wrong posting, mistake in arriving balance, posting debit entry as credit entry and *vice versa* due to busy counter work. Further, the bank employees are aware of the systems and procedures and also aware of fact that officers will check the ledgers in the evening on day to day basis. When this is the case, no staff will intentionally make a fictitious entry with the assumption that the concerned checking official will miss it while checking. Thus it is clearly established that credit entry is a genuine clerical mistake and not an intentional one as was projected in the charge sheet. On 3-12-99, it was a very busy day for all the staff as it was in the beginning of the month. When the officer asked him to post the voucher in the ledger, the concerned employee posted it mechanically and he did not even remember that he had posted a superfluous credit entry in customer's account. But in this case, the concerned employee is a duty bound employee and the concerned official's negligence in not checking the ledgers further establishes the fact that while the management treated his non-checking the above account including the actual debit entry as an ordinary negligent action without any motive, but when it comes to the concerned employee they treated it as most heinous crime and awarded him capital punishment. It is clear that fictitious credit of Rs. 2000/- is not needed to encash a cheque of Rs. 2500/- because the concerned employee was under wrong impression that he had remitted in the account of account holder Rs. 2000/- he made that credit entry. It is not fair on the part of the management to say that the concerned employee remitted Rs. 1300/- to cover up his alleged misappropriation. Hence, the Petitioner union prays this Tribunal to quash the order passed by the Respondent/Management and consequently, direct the Respondent to instate the concerned employee into service with back wages and consequential benefits.

4. As against this, the Respondent in its Counter Statement contended that concerned employee was working as a clerk in Kumbakonam branch from 1994. He had a S. B. account No. 23498. One Mrs. A. Thaiyanayaki was also having S. B. account No. 24856 with the said branch. During that period, the concerned employee was working at S. B. Counter No. 1. But the S. B. account No. 24856 was attached to Counter No. 3. On 3-12-99, Mrs. A. A. Thaiyanayaki gave the concerned employee Rs. 2000/- in cash to be remitted to her S. B. Account with the bank. The concerned employee made credit entry of Rs. 2000/- in the passbook of Mrs. A. A. Thaiyanayaki namely S. B. Account No. 24856, but instead of remitting the cash into the account of the customer, the concerned

employee remitted the cash of Rs.2000/- to the credit of his own S. B. Account No.23498 by preparing a challan by himself. The concerned employee made a fictitious credit entry of Rs.2000/- in S. B. Account No. 24856 of Mrs. A. A.Thaiyanayaki, as if the amount was duly received by the bank. Further, on the same date i.e. 3-12-99 the concerned employee had used one withdrawal slip dated 9-11-99 signed by the said account holder Mrs. A. A. Thaiyanayaki and had drawn Rs. 2500/- knowing fully well that there was no sufficient balance in that account. Again on 31-12-99 another debit of Rs. 1000 /- was made by him and the concerned workman had received the cash. During the balancing adjustment of books of accounts, on 18-2-2000 it was found out that the entry of Rs.2000/- made by concerned workman in the S. B. Account No. 24856 was a fictitious one and the account was overdrawn by withdrawal of Rs. 2500 / on 3-12-99. On 18-2-2000 the concerned employee deceitfully remitted a sum of Rs.1300/- in that account to adjust the overdraft caused by him in the customer's S. B. Account No. 24856 to cover these transactions. On 22-2-2000 Mr. R. Chakrapani, Manager interrogated the concerned employee in which he admitted that on 3-12-99 the account holder gave Rs. 2000/- and he wanted to credit her account and pass the withdrawal slip for Rs.2500/- due to him from her and that in the challan by mistake instead of writing S. B. Account No. 24856, he wrote his S. B. Account No.23498 and in the ledger he made a debit of Rs. 2500/- in S. B. Account No. 24856 that he had received Rs.2500/- and he signed the withdrawal slip, that he deposited Rs. 2000/- to the credit of his S. B. Account No. 23498. It is his further admission that S. B. Account holder Mrs. A. A.Thaiyanayaki was his family friend and she needed cash urgently, therefore, he gave the cash and collected withdrawal slip and as on 22-2-2000 the account had credit balance of Rs. 11/- and no interest was collected on TOD and he had explained this position to the account holder Mrs. A. A.Thaiyanayaki. On that date itself, the charge sheet was issued to the concerned workman. But, as his explanation was not satisfied, a domestic enquiry was ordered and the Enquiry Officer after the enquiry has come to the conclusion that two charges framed against the concerned employee were proved and the Disciplinary Authority after issuing second show cause notice on 10-8-2000 awarded censure for charge No.1 and the punishment of removal from service for charge No.2. This punishment awarded by the Disciplinary Authority is valid in law and fully justified and the Petitioner has not made out a case to interfere with the said punishment. Neither the Petitioner union nor the concerned employee to dictate as to the manner in which the Enquiry Officer should conduct the investigation. The domestic enquiry against the concerned employee was conducted in conforming to the principles of natural justice. It is not open to the Petitioner nor the concerned employee to question about the validity of the enquiry merely on the ground that management has not chosen to examine

Sri Kumaran, Sri Thiagaraja, Sri Suresh or the customer. The misconduct committed by the concerned employee was clearly proved in domestic enquiry and also the charges framed against the concerned employee were established and supported with evidence. Even in Claim Statement the concerned workman did not admit in his letter dated 3-2-2002 that on 13-12-99 he received Rs. 2000/- from the account holder Mrs. A A.Thaiyanayaki, that while preparing challan for remittance instead writing account the number of Mrs. A. A.Thaiyanayaki, he wrote his own S. B. Account No. It is also clear that no voucher was available for posting the credit of Rs. 2000 in S. B. Account No. 24856. The transaction which led to the disciplinary action against the concerned workman was not a mere clerical error or negligence. It was a deliberate act to enrich himself even temporarily at the expense of bank's customer by reason of his employment in the bank. In this case, how the concerned workman was able to get entries authenticated by the officer is of no material as far as the question of wrong done by him. In this case, it is not a question of dealing with a complaint of a customer and it is the attitude of the concerned workman in using his position in the bank as a clerk/cashier to gain access to the cash as well as records of bank to which he was not entitled to and to unduly benefit himself by misappropriation. The role of the officer in checking the entries cannot be equated to the role of concerned workman who was posting entries. It is a fact that concerned workman not only credited his own S. B. Account with cash meant for customer's account but also made fictitious entry in the customer's account as if the amount is received by the bank to the credit of customer's account. Therefore, the charges against the concerned workman were fair and proper and the punishment imposed on the concerned, employee is just and proper and therefore, the Respondent prays that the claim may be dismissed with costs.

5. As against this, the Petitioner again filed a rejoinder in which it is alleged that normal clerical error in the course of doing the routine work was deliberately viewed as a dishonest action and unjust punishment was imposed on the concerned employee. It is false to contend that concerned employee made a fictitious credit in his account. The concerned employee made an entry in the account of Mrs. A. A.Thaiyanayaki under a genuine impression that he remitted the amount paid by her into her account, whereas inadvertently he filled the challan in his name and account number in the credit challan. The concerned officer Sri Kumaran did not check the account on 3-12-99, hence the wrong credit was not rectified which resulted in the account showing excess balance. There was no evidence to prove the alleged charges against the employee concerned. It is only due to selective interrogation and biased approach of the investigation officer, without adhering to the principles of natural justice, the preliminary investigation report found fault with the concerned employee. The management tries

to take shelter under technicalities and this establishes their vindictive attitude. The workman did not admit the charge of misappropriation and he only told the factual position and no way it can be interpreted as admission of charges against him. The non-availability of credit voucher was no excuse for the officer in not checking the account. The enquiry clearly establishes the biased and perverse attitude of Respondent/ Management towards concerned employee. Hence, for all these reasons, the Petitioner union prays that an award may be passed in favour of the concerned employee.

6. In these circumstances, the points for my consideration are—

- (i) "Whether the action of the Respondent/ Management in imposing the punishment of removal from service with superannuation benefits against Sri V. Suresh is legal and justified?
- (ii) "To what relief the concerned employee is entitled?"

Point No.1:

7. In this case, the concerned employee namely Sri V. Suresh who worked as clerk/shroff at Kumbakonam branch of the Respondent/Bank misappropriated the funds of the bank and therefore, the Respondent/Management has taken action against the concerned employee, which was challenged by the Petitioner union, which espouses the cause of the concerned employee. On behalf of the Petitioner, no witness was examined but documents Ex.W1 to W3 namely charge sheet issued to concerned employee dated 20-2-2001 as Ex. W1 and copy of interrogation statement obtained on 22-2-2000 as Ex.W2 and copy of the order passed by Disciplinary Authority on 10-8-2002 as EX.W3 were marked.

8. As against this, the side of the on Respondent/ Management one Sri R. Parthasarathy who was the Branch Manager in Kumbakonam branch of the Respondent/Bank during that period was examined as MW1. On the side of the respondent 17 documents were marked.

9. Learned Counsel for the Petitioner contended that Disciplinary Authority had not taken into consideration the substantial fact that the particular S. B. Account holder namely Mrs. A. A. Thaiyanayaki was the family friend of the concerned employee which is nothing sort of admitted fact. Further the punishing authority had not taken into consideration the substantial fact that day to day accounts checking officer had not pointed out the mistake erupted in the particular day's accounts. It is admitted that it is the bounden duty of the officer to check the accounts every day but the same was not brought to light because of the biased attitude of the Enquiry Officer and therefore, the concerned employee had remitted the amount on 18-2-2000

when it was brought to light. The Disciplinary Authority had also not taken into consideration regarding Mrs. A. A. Thaiyanayaki having not lodged any complaint against the concerned employee to whom only she had paid Rs.2000/- to deposit in her account and also received Rs.2500/- from him as hand loan. Thus the Disciplinary Authority had not taken into consideration the non-examination of Mrs. A. A. Thaiyanayaki to know the genuineness and trueness of the statement of the concerned employee. Only due to pressure of work in the beginning days of the month, he had mechanically withdrawn the amount on the genuine assumption that Rs.2000 had been deposited with the S. B. Account of Mrs. A. A. Thaiyanayaki. Therefore, there is no intention on the part of the concerned employee to cause either loss or to appropriate temporarily the funds of the Respondent/Bank. Under such circumstances the punishment awarded by the bank on the finding that the concerned employee has misappropriated the funds of the bank temporarily is without any substance.

10. On the other hand, the learned counsel for the Respondent contended that in this case, it is not the question of dealing with the complaint of a customer, it is only the attitude of the concerned employee in using his position in the bank as a clerk/cashier to gain access to the cash as well as records of the bank to which he is not entitled to and to unduly benefit himself by misappropriation. Further, the role of the officer in checking entries cannot be equated to the role of the concerned employee who was posting entries. In this case, it is clearly established that the concerned employee not only credited his own S. B. Account with the cash meant for the customer's account but also made a fictitious entry in the customer's account, as if the amount is received by the bank to the credit of customer's account. Further, it is not open to the concerned employee to question about the validity of the enquiry merely because the Presenting Officer had not chosen to examine Mrs. A. A. Thaiyanayaki or anybody else. If the concerned employee had not any grievance or wanted to examine those witnesses, he could have done it and nothing prevented him from doing so. It is clearly established in the domestic enquiry by production of documents and also by evidence adduced by the Respondent/Management staff that the Petitioner has deliberately done these acts and it was not a mere clerical error or negligence on the part of the concerned employee. Thus, the misconduct of temporary misappropriation committed by the concerned employee was clearly proved in the domestic enquiry and all the charges were established with substantial evidence.

11. Then the learned counsel for the Petitioner contended that the Petitioner in reply to his show cause notice had denied the guilt attributed against him and in the explanation he had pointed out the true occurrence, but it does not mean that he has admitted the guilt levellied against him both in the earlier show cause notice and the

charge memo and therefore, there is no legal evidence or probability of case based on documents filed in the domestic enquiry conducted against him to prove in all probabilities the grave misconduct alleged against him.

12. Here again, learned counsel for the Respondent contended that there is no truth in the contention of the learned counsel for the Petitioner that the concerned employee had not admitted the guilt framed against him. Even in the Claim Statement and even in the letter dated 3-2-2002, he has stated that on 3-12-99 he had received Rs. 2000 from the account holder Mrs. Thaiyanayaki and he further stated that while preparing the challan for remittance instead of writing the account number of Mrs. A.Thaiyanayaki he wrote his own S. B. account No. therefore, the intention of the concerned workman was revealed by his action. Under such circumstances, it is futile to contend that he has not admitted the guilt framed against him.

13. Again, learned, counsel for the Petitioner contended that it is the Respondent/Management in this case bound to let in positive evidence to prove their assertions against the concerned employee that he had misappropriated the funds of Respondent/Bank and that it amounts to temporary misappropriation of bank funds and that this had been done by him intentionally. But there is no positive evidence available in this case to show that he has intentionally misappropriated the funds of the Respondent/Bank and therefore, it cannot be considered that the Respondent/Bank has proved the guilt framed against the concerned employee. It is also contended that there is no intention on the part of the concerned employee that he has to misappropriate the funds of the bank. Under such circumstances, the findings given by the Enquiry Officer and the punishment imposed by Disciplinary Authority are untenable and illegal.

14. But, as against this, learned counsel for the Respondent contended that it is clearly established that no voucher was available for posting the credit of Rs. 2000 in the account of Mrs. A.Thaiyanayaki in S. B. account No. 24856. Further, there is no dispute in this case that concerned workman received Rs. 2500 on the same day i.e. 3-12-99. The transaction which led to the disciplinary action against the concerned workman was not a mere clerical error or negligence and it was a deliberate act to enrich himself even temporarily at the expense of bank's customer by reason of his employment in the bank. Therefore, it is not material that how the concerned employee was able to get entries authenticated by the officer as far as the question of wrong done by him. Under such circumstances, it cannot be said that the Respondent/Management has not proved the case positively that the concerned employee has misappropriated the bank's funds.

15. Then again the learned counsel for the Petitioner contended that the High Courts and Supreme Court in

number of decisions have held that before imposing economical death penalty against the employee all vital facts must be considered. Further, his clear past records are to be considered before imposing the major punishment. But, in this case, past records of the concerned employee were not at all taken into consideration, while imposing the punishment on the imaginary reason of temporary misappropriation of bank's funds. Further, under section 11 A of the I.D. Act, the Tribunal has got every power to interfere as it is one of the fittest cases and come to a different conclusion based on legal evidence on record. In this case, there is no legal evidence to attribute the concerned employee that he has misappropriated even temporarily the funds of the Respondent/Bank. Under such circumstances, this Tribunal can exercise the powers and authority conferred under section 11A of the I.D. Act to come to a different conclusion.

16. But, the learned counsel for the Respondent contended that it is well settled by the Supreme Court that "in banking business, absolute devotion, diligence and integrity need to be preserved by every bank employee and in particular by bank officers, if this is not observed, confidence of depositors would be impaired." In this case, it is admitted that Smt. Thaiyaynaki, one of the S.B. account holders in the Respondent/Bank branch at Kumbakonam having S.B. Account No. 24856 has given an amount of Rs. 2000/- in cash to be remitted in her account. While so, without crediting the amount in S.B. account No. 24856 he has credited the said amount of Rs. 2000/- in his S.B. Account No.23498 by preparing the challan by himself. Further, not only that he has made a fictitious credit entry for Rs. 2000/- in S.B. Account No. 24856 of Smt. Thaiyanayaki as if the amount was duly received by the bank. Furthermore, on the same day i.e. on 3-12-99 the concerned employee had used one withdrawal slip dated 9-11-99 signed by the said account holder Smt. Thaiyanayaki and, had withdrawn the amount of Rs. 2500/- knowing fully well that there was no sufficient balance in that account. After it was, found that this, was made as a fictitious entry, he had deposited a sum of Rs. 1300 to adjust the overdraft caused by him in the customer's account No. 24856. Under such circumstances, it cannot be said that the concerned employee inadvertently made entries in S.B. Account No. 24856. Therefore, the punishment of removal from service imposed by the Disciplinary Authority on the concerned employee with superannuation benefits cannot be said as excessive and not proportionate to the charges framed against him. Further, in number of cases the Supreme Court has held that "*interference with the quantum of punishment cannot be a routine matter. In case of proved charges in which the employee failed to discharge his duty with utmost integrity, honesty, diligence and devotion and his acts were prejudicial to the interest of the bank, the punishment of dismissal was proportionate to the misconduct proved and interference therewith was not warranted.*" It is his

further contention that the Supreme Court in 2006 I SCC 63 KARNATAKA BANK LTD. Vs. A.L. MOHAN RAO, has held that "It is not for Courts to interfere in cases of gross misconduct of this nature with decision of Disciplinary Authority on any mistaken notion of sympathy so long as enquiry has been fair and proper and misconduct proved. In such matters it is for Disciplinary Authority to decide what is the fit punishment." Further, the Supreme Court in the cases of like nature has held that "past records in such cases has no relevance. Further, the consideration of past records or the question whether the bank has sustained with loss were not relevant in such cases." The learned counsel for the Respondent further relied on the rulings reported in 1999 II LLJ 194 MANAGEMENT OF CATHOLIC SYRIAN BANK Vs. INDUSTRIAL TRIBUNAL AND ANOTHER, wherein the Madras High Court has held that "Industrial Tribunal cannot interfere with the quantum of punishment if proved misconduct is grave in nature warranting dismissal from service. Discretionary powers to interfere with the quantum of punishment can be exercised only when it is established that proves charges and penalty imposed are not proportionate to each other after considering all the aspects. Failure to consider past conduct by itself is not sufficient to hold order of dismissal as not warranted where the proved misconduct is grave. The employee cannot claim right to commit fraud during the course of employment and the employee should maintain such ethical standards embodied in rules and regulations and ethical standards cannot be abandoned on plea that Justice should be rendered with mercy. The employee should maintain minimum standard of integrity and therefore, an award of reinstatement and back wages to workman who did not maintain minimum standard of integrity would amount to rewarding fraudulent and dishonest conduct and would be mocking at integrity and honesty of majority of workmen." Relying on these decisions, learned counsel for the Respondent contended that in this case "the Respondent/Bank has positively proved that no voucher was available for the posting of credit entry for Rs. 2000 in S.B. Account No. 24856 of Smt. Thaiyanayaki and on the same date i.e. 3-12-99 the concerned employee received Rs.2500 and the concerned employee after knowing full well that there was no sufficient balance in the account of Smt. Thaiyanayaki had withdrawn the said amount for himself and it was a deliberate act to enrich himself even temporarily at the expense of bank's customer by reason of his employment in the bank. Therefore, it cannot be said that at any stretch of imagination that the concerned employee is innocent and has made these entries inadvertently and therefore, the punishment imposed by the Respondent/Management is just and proper and no interference needs to be made by this Tribunal in this case under section 11 A of the I. D. Act.

17. I find much force in the contention of the learned counsel for the Respondent because, in this case even

assuming for argument sake that he has inadvertently made the credit entry in his account, it cannot be said that he has inadvertently made the entry in the account of Smt. Thaiyanayaki namely in S.B. Account No. 24856. It is clearly established that there is no voucher for crediting this entry into S.B. Account No. 24856. Under such circumstances, it cannot be said that due to pressure of work he has made this entry in the S.B. Account No. 24856. As such, I find the Respondent/Management has clearly established the fact that the Petitioner has temporarily misappropriated the funds of the bank and it is a deliberate act to enrich himself at the expense of bank's customer by the reason of his employment in the Respondent/Bank. Therefore, I find the action of the Respondent/Management in imposing the punishment of removal from service on the concerned employee is legal and justified.

Point NO. 2:

The next point to be decided in this case is to what relief the Petitioner is entitled?

18. In view of my foregoing findings that imposition of punishment against the concerned employee is legal and justified, I find the concerned employee is not entitled to any relief as prayed for by the Petitioner Union. No Costs.

19. Thus, the reference is answered accordingly.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 27th April, 2006.)

K. JAYARAMAN, Presiding Officer

Witnesses Examined:

For the I Party/Claimant : None

For the II Party/Management : MW1 Sri R. Parthasarathy

Documents Marked :—

For the I Party/Claimant :

Ex.No.	Date	Description
W1	20-02-01	Xerox copy of the Charge Sheet issued to Concerned employee
W2	22-02-00	Xerox copy of the interrogation statement obtained from concerned employee
W3	10-08-02	Xerox copy of the letter from Respondent to concerned employee

For the II Party/Management:

M1	18-02-00	Xerox copy of the report sent by Main branch, Kumbakonam to Regional Office
M2	22-02-00	Xerox copy of the interrogation report

Ex.No.	Date	Description
M3	09-11-99	Xerox copy of the withdrawal slip of Smt.Thaiyanayaki
M4	Nil	Xerox copy of the specimen signature card of Smt. Thaiyanayaki
M5	Nil	Xerox copy of the account sheet of Smt. Thaiyanayaki
M6	Nil	Xerox copy of the show cause notice issued to concerned employee
M7	20-02-01	Xerox copy of the Charge Sheet issued to concerned employee
M8	08-09-01	Xerox copy of the Presenting Officer's summing up before Domestic Enquiry
M9	06-12-01	Xerox copy of the enquiry findings
M10	13-12-01	Xerox copy of the letter from concerned employee to Enquiry Officer
M11	Nil	Xerox copy of the enquiry proceedings
M12	06-07-02 10-08-02	Xerox copy of the letter from Disciplinary Authority to concerned employee
M13	16-09-02	Xerox copy of the appeal preferred by concerned employee before Appellate Authority
M14	04-02-03	Xerox copy of the order of Appellate Authority
M15	03-12-99	Xerox copy of the pay in slip
M16	18-02-2000	Xerox copy of the pay in slip
M17	Nil	Xerox copy of the ledger of concerned employee

नई दिल्ली, 30 अगस्त, 2006

का.आ. 3827.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन एअर लाइंस लि. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, मुम्बई-II के पंचाट (संदर्भ संख्या 35/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-8-2006 को प्राप्त हुआ था।

[सं. एल-11012/78/2001-आई आर(सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 30th August, 2006

S.O. 3827.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 35/2002) of the Central Government Industrial Tribunal/Labour Court, Mumbai-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Airlines and their workman, which was received by the Central Government on 29-8-2006.

[No. L-11012/78/2001-IR (C-I)]

S. S. GUPTA, Under Secy.

**ANNEXURE
BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. II, MUMBAI**

Present : A. A. Lad, Presiding Officer

REFERENCE : CGIT-2/35 of 2002

Employers in Relation to the Management of Indian
Air Lines Ltd.,

General Manager (P),
Indian Air Lines Ltd.,
New Engineering Complex,
Sahar, Mumbai-400 099.

AND

Their Workmen

Chairman.
Air Corporation Employees' Union,
Old Airport, Santacruz (E),
Mumbai-400 029
(R.S. Masurkar)

APPEARANCE

For the Employer : M/s. Bhasin & Co. with
Mrs. Pooja Kulkarni & Alisha
P, Advocates.

For the Workmen : Mr. A.K. Menon, Representative
Date of passing of Award 27th June, 2006.

AWARD-PART II

1. The Government of India, Ministry of Labour by its Order No. L-11012/78/2001-IR(C-I) dated 10th April, 2002, in exercise of the powers conferred by Clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947, to this Tribunal regarding R.S. Masurkar for adjudication:

"Whether the action of the management of Indian Airlines Limited, Mumbai in removing Shri R.S. Masurkar from the services w.e.f. 21-12-2000 is legal and justified?"

2. To support the subject matter referred in the reference 2nd Party, Chairman, Air Corporation Employees Union filed Statement of Claim for concerned Workman at

Exhibit 6. Same was disputed by the 1st Party filing Written Statement at Exhibit 7. On the basis of the said pleadings may Ld. Predecessor framed Issues at Exhibit 10. After recording evidence it was kept for passing Award, after hearing both sides. Meanwhile Party Nos. 1 and 2 arrived to settlement as per Exhibit 23 and decided to settle the Issue out of the Court. After verifying that it is free settlement and volunteer one I accept it.

3. In view of this settlement purshis filed at Exhibit 23 I proceed to pass the following order :

ORDER

In view of the settlement purshis filed at Exhibit 23 Reference is disposed off with no order as to its costs.

A. A. LAD, Presiding Officer

Mumbai,

27th June, 2006.

Ex. No. 23

BEFORE THE HON'BLE CGIT-II AT MUMBAI

Reference IDA No. 35 of 2002

In the Matter of

Indian Airlines Ltd.

.....First Party

Versus

R. S. Masurkar

.....Second Party

MAY IT PLEASE YOUR HONOUR

1. It is respectfully submitted by the First Party Management that Shri R. S. Masurkar was removed from the services of the Indian Airlines Ltd. w. e.f. 21-12-2000 and Air Corporation Employees Union, Bombay Region has raised an industrial dispute before the Asstt. Labour Commissioner (Central), Mumbai contesting the action of the First Party Management. The conciliation ended in failure and the matter was referred by the Central Government before CGIT-II for adjudication.

2. It is respectfully submitted that the Hon'ble Presiding Officer in its Part-I Award dated 9th October, 2003 had held that the domestic enquiry conducted against the workman was not as per the principles of natural justice and the First Party Management is allowed to lead evidence to justify its action. Thereafter the CGIT-II has not been in session as no fresh Presiding Officer has been appointed.

3. Both the parties approached the Regional Labour Commissioner (Central), Mumbai requesting for intervention in the matter. The Union submitted that Shri Masurkar's case should be considered for 'fresh appointment' especially since he had no other adverse record in his service. After prolonged discussion on 18th January, 2005 the settlement dated 18th January, 2005 was arrived between the parties.

4. It is respectfully submitted by the First Party Management that as the Memorandum of Settlement dated 18th January, 2005 under Section 12(3) of the I. D. Act was arrived between Air Corporation Employees Union and

Indian Airlines Ltd. Management. Shri R. S. Masurkar has joined duties with effect from 4th February, 2005.

5. It is respectfully submitted by the First Party Management that Second Party workman was taken back as a fresh employee without any continuity in the employment and the Second Party Workman has accepted the terms and conditions of the fresh appointment and joined duty with effect from 4th February, 2006.

6. In view of the facts and circumstances stated here in above, the First Party Management herein most respectfully prays that the above Reference may be rejected. A photocopy of the settlement dated 18th January, 2005 which was arrived between the parties whereby the Second Party Workman was taken as a fresh employee is annexed herewith and marked as Exhibit - "A" along with the copy of the Joining Report of Second Party Workman dated 4th February, 2005 is hereto annexed and marked as Exhibit - "B".

FOR THIS ACT OF KINDNESS THE FIRST PARTY MANAGEMENT SHALL BE DUTY BOND AND SHALL EVERPRAY.

Dated this day of 26th April, 2006

Advocate for the Management

EXHIBIT 'A'

Memorandum of Settlement under section 12(3) of the Industrial Disputes Act, 1947 arrived at on Tuesday the 18th January, 2005 at Mumbai between the management of Indian Airlines and their workmen represented by Air Corporation Employees' Union in the matter of removal of services of Shri R. S. Masurkar. Sr. Helper (Commercial) Emp No. 358118

Representating Management 1. Shri R. Harihar, General Manager (Personnel), Indian Airlines, Western Region, Mumbai

2. Shri M. K. Mukhopadhyaya, General Manager (Commercial), Indian Airlines, Western Region, Mumbai

Representing Workmen

1. Shri Kishore Pingle, Vice Chairman, Air Corporation Employees' Union, Bombay Region

2. Shri G. R. Gole, Regional Secretary, Air Corporation Employees' Union, Bombay Region

SHORT RECITAL OF THE CASE

The Management of Indian Airlines removed Shri R. S. Masurkar from the services w.e.f. 21-12-2000 and the Air Corporations Employees Union, Bombay Region has raised an industrial dispute before the Asst. Labour Commissioner (Central), Mumbai contesting the action of the management. The conciliation ended in failure and the matter was referred by the Central Government before CGIT-II for adjudication.

The Hon'ble Presiding Officer in its Part-I Award dated 9th October, 2003 had held that the domestic enquiry conducted against the workman was not as per the principles of natural justice and the Management is allowed to lead evidence to justify its action. Thereafter the CGIT-II has not been in session as no fresh Presiding Officer has been appointed.

Both the parties approached the Regional Labour Commissioner (Central), Mumbai requesting for intervention in the matter. The Union submitted that Shri Masurkar's case should be considered for 'fresh appointment' especially since he had no other adverse record in his service. After prolonged discussion on 18th January, 2005 the following settlement was arrived at :

TERMS OF SETTLEMENT

1. Shri R. S. Masurkar shall within a fortnight be offered fresh appointment to the post of Helper (Commercial) in the pay scale of Rs. 2860-3700 with a starting basic pay of Rs. 3260/-. He shall be taken on duty on completion of pre-employment formalities, but no medical test would be required.

2. Shri R. S. Masurkar will be placed on probation for a period of six months from the date of his appointment and if during this period his attendance, work and conduct are found not satisfactory, his appointment will be terminated forthwith.

3. Shri R. S. Masurkar shall be eligible for promotion to the post/grade of Sr. Helper (Commercial) in the pay scale of Rs. 3140-4180 after he is confirmed as Helper (Commercial). On being found suitable for promotion as Sr. Helper his basic pay will be fitted at the maximum of the new pay scale at Rs. 4180/-. He shall get seniority as Sr. Helper (Commercial) from the date he takes over after promotion.

4. Shri R. S. Masurkar shall be allowed to become member of the Indian Airlines Employees Provident Fund from the first of the following month he joins duty. The Provident Fund amount standing to his credit as on 21-02-2000 would be recredited to his account.

5. Shri R. S. Masurkar shall be allowed to become member of the Contributory Family Medical Scheme from the date he joins duty.

6. The question of counting the past service for various purposes would be considered and decided by the Management after 5 years from the date he joins duty.

7. Subject to the above Shri R. S. Masurkar will be governed by Service Regulations/Standing Orders and Establishment Orders applicable to him and as framed and amended by Indian Airlines Ltd. from time to time.

8. He shall be liable to be transferred to any Station/Section as may be required by the Management.

9. The above terms of settlement would be full and final settlement of the dispute.

10. Both the parties agree to file this settlement before the presiding Officer, CGIT-II in Ref. No. CGIT-II/35 of 2002 to obtain a consent order confirming the above terms.

For the Union

1. (Kishore Pingle)
Vice Chairman,
Air Corporation
Employees' Union,
Bombay
2. (G. R. Gole)
Regional Secretary,
Air Corporation
Employees' Union,
Bombay Region

For the Management

1. (R. Harihar)
General Manager (Personnel)
Indian Airlines, Western
Region, Mumbai
2. (M. K. Mukhopadhyaya)
General Manager (Commercial)
Indian Airlines,
Western Region, Mumbai

Witnesses :

- | | |
|--|---|
| 1. (A. M. Balasaraf)
Head Commercial Helper | 2. (R. A. Kamath)
Dy. General Manager
(Personnel) |
| 3. J. R. Desai
Sr. Commercial Helper | 4. (N. G. Mavchi)
Chief Manager
(Commercial) |

Before me

M. P. M. Sivakumar
Regional Labour Commissioner (Central)

To

Shri R. S. Masurkar,
R. No. 08, Marwadi Chawl No. 1,
Ambewadi, Kalachowki,
B. A. Road, Mumbai 400033.
Ref. MPR/

Date: 01-02-2005

Sub: Appointment - Helper (Commercial)

In terms of the Memorandum of Settlement arrived at on 18-1-2005 between the Management of Indian Airlines Ltd. and Air Corporations Employees' Union, a copy of which is enclosed and constitutes a part of this letter of appointment, we hereby offer you fresh appointment as

Helper (Commercial), in the pay scale of Rs. 2860-3700 with a starting basic pay of Rs. 3260/- on the terms and conditions mentioned below :—

1. Your appointment will be subject to your completing all pre-employment formalities except medical examination.
2. You will be placed on probation for a period of six months from the date of your appointment in terms of Service Regulation No. 9 and if, during this period, your attendance, work and conduct are found not satisfactory, your appointment will be terminated forthwith.
3. You will be considered for promotion to the post/grade of Sr. Helper (Commercial) in the pay scale of Rs. 3140-4180 on your confirmation in the post of Helper (Commercial). On your promotion as Sr. Helper, your basic pay will be fitted at the maximum of the new pay scale, i.e. at Rs. 4180/-. Your seniority in the category of Sr. Helper (Commercial) will be reckoned from the date you take over as Sr. Helper.
4. You will be allowed to become member of Indian Airlines Employees' Provident Fund from the first of the following month of your joining duties. The Provident Fund amount standing to your credit as on 21-12-2000 would be re-credited to your account.
5. You will be allowed to become member of the Contributory Family Medical Scheme from the date you join duty.
6. The question of counting your past service for various purposes would be considered and decided by the Management after 5 years from the date of your joining duty subject to your satisfactory service record..
7. Subject to what is stated above, you will be governed by the existing Service Regulations/ Standing Orders and Establishment Orders applicable to you and as framed and amended by Indian Airlines Ltd. from time to time.
8. You will be liable to be transferred/redeployed to any Station/Department/Section as may be required by the Management.
9. No further representation of any nature, whatsoever, will be entertained in regard to the above and the Industrial Dispute raised by ACEU will stand fully settled in terms of Clauses 9 and 10 of the said settlement dated 18-1-2005.

If the above offer including the terms of the aforementioned settlement dated 18-01-2005 is acceptable

to you, please return the duplicate copy of this letter to us, duly signed, as a token of your acceptance of the offer.

P. R. MESHRAM, For General Manager (Personnel)

Exhibit 'B'

To

Manager (Personnel)

Indian Airlines Ltd.

NTB - Mumbai

मेमोरेण्डम/Memorandum

Ref: BBY: GMC:ADMN:144 4th February, 2005

Sub: Joining Report

This has reference to GM(P) letter No. MPR/HC/05 dated 4-2-05 regarding reappointment of Mr. R. S. Masurkar as Helper (Commercial) on the terms and conditions mentioned in the above letter.

Mr. R. S. Masurkar - Emp. No. 398497- Helper (Commercial) has reported to GM(Commercial) on afternoon of 4-2-05 and will report to DGM(CS), Mumbai Airport for further allocation of duties.

M. K. MUKHOPADHYAYA, General Manager
(Commercial)

नई दिल्ली, 30 अगस्त, 2006

का.आ. 3828.- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूरदर्शन मेन्टनेंस सेन्टर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भुवनेश्वर के पंचाट (संदर्भ संख्या 33/2002) को प्रकाशित करती है/श्रम न्यायालय, जो केन्द्रीय सरकार को 30-8-2006 को प्राप्त हुआ था।

[सं. एल-42012/54/2001 'आई आर(सी-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 30th August, 2006

S.O. 3828.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 33/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar as shown in the ANNEXURE in the Industrial Dispute between the management of Door Darshan Maintenance Centre. and their workman, received by the Central Government on 30-8-2006.

[No. L-42012/54/2001-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, BHUBANESWAR**

Present :

Shri N.K.R. Mohapatra,

Presiding Officer, C.G.I.T.-cum-Labour Court,
Bhubaneswar

Industrial dispute Case No. 33/2002

Date of Passing Award—10th August 2006

Between

The Management of the Station
Engineer, Door Darshan Maintenance Centre,
Door Darshan Kendra, Sambalpur

... 1st Party-Management

Their Workman, Shri Puma Chandra Das,
At/Po. Kuchinda, Sambalpur

... 2nd Party-Workman

APPEARANCES

None ... For the 1st Party Management

None ... For the 2nd Party Workman

AWARD

The Government of India in the Ministry of Labour, in exercise of Powers conferred by Clause (d) or Sub-section (I) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred the following dispute for adjudication vide their Order No. L-42012/54/2001 (IR (CM-I), dated 30-01-2002 :

"Whether the demand of Shri P. C. Das, Ex-Watchman, in the LPT Centre, Kuchinda under Door Darshan Maintenance Centre, Sambalpur for regularization of his services as watchman and wages at par with the Central Government Rules from the date of his appointment i.e. from April, 1994 is legal and justified? If so, to what relief the workman is entitled to?"

2. It is alleged by the workman that during construction period of a L.P.T. Center at Kuchinda he was engaged on consolidated wage of Rs. 750 per month by the officers of Door Darshan of Calcutta to keep watch over the materials stacked for construction of the above center during 1994. After taking over the center after its completion he was again engaged by the officers of the Sambalpur Door Darshan on a consolidated remuneration of Rs. 490 per month with an assurance that he would be absorbed as a regular employee in future after getting the sanctioned post. But as in the following years he could not be regularized pursuant to the assurance he raised an Industrial Dispute before the Law enforcing authority culminating the same in the present reference.

3. The O. P.—Management contended that the engagement of the workman by the officers of the Calcutta during the construction period of L.P.T. Centre in 1994 is totally unknown to the Management. According to the Management in April 1996 the L.P.T. Centre was handed over to the Sambalpur Door Darshan for its maintenance and therefore for a temporary period of one year from 1-4-1996 he workman was engaged on contractual basis for Rs. 490 per month until regular staffs are posted in the

center. The workman accordingly worked but he was refused further extension on the posting of regular staff with effect from 1-4-1997. As regards the question of regular it is contended that the workman having not been selected as per the recruitment Rules and that there being no sanctioned post of a Watcher he can not be regularized, his appointment being on contractual basis. For the self same reason he is also not entitled to claim equal pay with that of a regular employee. Besides while challenging the reference it is further contended that the same is not maintainable in as much as the entire case falls within the jurisdiction of the Administrative Tribunal.

4. On the basis of above pleadings of the parties the following three issues were framed :

ISSUES

1. Whether the reference is maintainable?
2. Whether the demand of Shri P.C. Das. Ex-Watchman, in L.P.T. Centre, Kuchinda, under Door Darshan Maintenance Centre, Sambalpur for regularization of his services as Watchman and wages at par with the Central Government Rules from the date of his appointment i.e. from April 1994 is legal and justified?
3. If so, to what relief the workman is entitled?

ISSUE NO. 1

5. Except pleading that the entire case falls within the purview of the Administrative Tribunal Act, no evidence worth the name has been adduced by the Management to substantiate the same. In view of the above there appears no substance in the above stand and accordingly it is held that the Tribunal has got all the jurisdiction to try the dispute.

ISSUES NO. 2 & 3

6. These issues are taken up together as they are inter-linked.

It is the well settled principle that a casual worker or a person appointed on adhoc basis has got no right to claim regularization because of his rendering service for a continuous period. Rather it is obligatory on the part of the employer to see by framing necessary rules that such persons are regularized on their fulfilling the required qualification prescribed under the rules. So also it is the settled law that regularization depends on the status of a person. By mere continuation in service for longer a period the status of a person does not change with the passage of time and therefore a person who has been appointed on temporary basis can not claim the status of a permanent employee and demand equal wages of regularization. Further more a person engaged on contractual basis can not claim either regularization or equal pay at par with the regular employees.

7. The Management has produced an Agreement (Ext.-A) along with several xerox copies of hand receipts granted by the workman in support of receipt of his remuneration from months to month (marked as Ext.-C series). The workman has also filed copies of similar receipts. On perusal of the same especially the document marked Ext.-A it is clear that the workman was engaged specifically for a period of one year from 1-4-1996 on contractual basis on fixed consideration of Rs. 490/- per month. The evidence of Management witness shows that after appointment of regular staff the services of the workman was no more needed and therefore he was terminated on completion of one year contractual period.

8. Be it noted here that as per Section 2(oo) of the Industrial Disputes Act retrenchment means any termination of workman for any reason whatsoever but the same does not include termination of service as a result of non-renewal of contract. Therefore, when in the instant case the workman has been terminated without renewal of his contract, the said termination can not be termed as retrenchment to attract the provision of Section 25-F of the Industrial Disputes Act. So also in view of the above nature of engagement the workman can have no claim for his regularization nor for equal pay for the reasons discussed earlier.

9. Thus in view of the discussions made above I find no merit in the claim of the workman and accordingly the reference is answered in negation.

Dictated & Corrected by me.

N. K. R. MOHAPATRA, Presiding Officer

नई दिल्ली, 30 अगस्त 2006

का.आ. 3829.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, आल इण्डिया रेडियो के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भुवनेश्वर के पंचाट (संदर्भ संख्या 7/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-8-2006 को प्राप्त हुआ था।

[सं. एल-42012/184/2002-आई आर(सी-II)]

अजय कुमार गौड़, डैस्क अधिकारी

New Delhi, the 30th August, 2006

S.O. 3829.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 7/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure in the Industrial Dispute between the management of All India Radio, and their workman, received by the Central Government on 30-8-2006.

[No. L-42012/184/2002-IR (C-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL- CUM-LABOUR COURT BHUBANESWAR

Present:

Shri N.K.R. Mohapatra,
Presiding Officer, C.G.I.T.-cum-Labour Court,
Bhubaneswar

Industrial Dispute Case No. 7/2003

Date of Passing Award - 26th July, 2006

Between

1. The Management of the Station Director, All India Radio, Naktiguda, P.O. Bhawanipatna, Dist.-Kalahandi - 766001
2. The Superintending Engineer, All India Radio, Naktiguda, P.O. Bhawanipatna, Dist. Kalahandi.

...1st Party-Managements

And

Their Workman, Shri Santanu Kumar Soni,
Hinglibahili (Ward No.1), P.O. Junagarh,
Dist. Kalahandi - 766014.

...2nd Party-Workman

APPEARANCES:

Raghunath Mallick UDC ...For 1st Party
Managements.

Santanu Kumar Soni ...For Himself
The Workman.

A W A R D

The Government of India in the Ministry of Labour, in exercise of powers conferred by Clause (d) of sub-section (I) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their Order No. L 42012/184/2002 IR dated 13-03-2003:—

“Whether the action of the Management of Prasar Bharati. Broadcasting Corporation of India, in relation to their Establishment i.e. Director, All India Radio, Bhawanipatna, erstwhile Department of All India Radio in terminating the services of Shri Santanu Kumar Soni, Pump Operator-cum-Electrician with effect from 10-12-2001 without following due procedure of law and providing him principles of natural justice, is he was rendered continuous service in five successive years in the organization is legal and justified? If not, to what relief the workman is entitled to?”

2. The shortly stated case of the workman is that he was engaged by the Management with effect from 24-5-1995 as a NMR Pump Operator-cum-Electrician on a daily wage

of Rs. 35/- calculated to Rs. 1050/- per month and subsequently it was enhanced to Rs. 2250/- per month. It is alleged by the workman that while he was continuing, is such from year to year he was refused employment abruptly without notice or notice pay and retrenchment benefits from 10-12-2001 instead of regularizing him with permanent status as per the scheme of 1993 adopted by the Prasar Bharati Broadcasting Corporation of All India.

3. In reply to the above the Management averred that the workman was never enrolled as a NMR worker nor he was engaged continuously as a casual worker as claimed by him. According to it there being restriction for engagement of casual workers there was no scope for the Management to give such engagement to the workman. But however he was engaged as a part time worker intermittently depending upon the contingencies and was paid accordingly from out of contingent fund for operating the water pump from 6.00 A.M. to 8.00 A.M. and again from 4.00 P.M. to 8.00 P.M. on contractual basis and for attending to some minor electrical works over a total period not exceeding 4 hours in a day. But after engagement of contractors to undertake the above jobs he was disengaged from 10-12-2001 pursuant to an instruction received from the head office and as such he is neither entitled for regularization nor his termination is bad under law.

4. On the basis of the above pleadings of the parties the following issues were framed.

ISSUES

1. Whether the reference is maintainable?
2. Whether the workman Shri Santanu Kumar Semi was working as Pump Operator-cum-Electrician under the Director, All India Radio, Bhawanipatna?
3. Whether the action or the Management of Prasar Bharati Broadcasting Corporation of India in relation to their establishment i.e. Director, All India Radio, Bhawanipatna, the erstwhile Department of All India Radio in terminating the services of Shri Santanu Kumar Soni with effect from 10-12-2001 is legal and justified?
4. If not, what relief the workman is entitled to?
5. The workman has examined himself alone in support of his case by producing several documents marked Ext.-I to 36. The Management on the other has examined two witnesses with Ext. A to H-2.

Issue No. 1

6. Though initially the scope or this reference was questioned by the Management in its written statement no evidence worth the name has been adduced during trial to that effect. Hence it is held that this Tribunal has got the jurisdiction to certain the reference.

Issue Nos. 2 to 4

7. These issues are taken up conjointly for the purpose or convenience.

8. In view of the above pleading and counter pleadings or the parties it is to be seen whether the workman was engaged as a casual worker to work for 8 hours a day or whether his engagement was a part time one limited to 4 hours work.

9. It is not denied by the Management witness that the workman was engaged on miscellaneous work of repairing the electrical defects besides operating the water pumps. Ext.-23, a part of Duty Allotment Register maintained under the authority or the Asst. Station Engineer or the Management gives an inkling them the workman was asked time and again to attend to the electrical defects of various residential quarters during 1996 and 1997. He was also asked to repair the water taps. Ceiling fans, wash basin water pipes of different quarters. The payment voucher marked Ext.-25 and its connected office orders marked Ext.-26 and 27 also reflect the fact that besides operating the water pumps from 6 A.M. to 8 A.M. and against from 4 P.M. to 6 P.M. the workman was also attending to other electrical works during month or Sept. 1998. The other document Ext.-5 to 14 produced by the workman also speak similar engagements during 1996 to 1997. Ext.-32 a letter of drawing and disbursement officer dated 4-2-2003 indicates that the workman was almost treated as a regular employee in as much as he was allowed to draw materials like pedestal fan and wrench etc. from the store or the Management. Likewise the letter dated 24.12.2002 (Ext.-G) or Superintending Engineer of the Management addressed to Director General, All India Radio indicates that he was rendering continuous work as a casual worker for which he has earlier been issued with service certificate in official pad by the previous Superintendent Engineer and the Station Director of All India Radio, Bhawanipatna (reference being to Ext.-1 and 2). The letter also indicates that like the workman many others were engaged as casual workers on different work and they were being paid through vouchers individually and after receipt of a letter from the top level to discontinue such practice and to manage the work by engaging contractors, these workers were placed under one contractor with effect from 1-10-2001 to look after all sundry nature of work but the workman had refused to work under such contractor. During cross-examination of the workman it has been suggested to him that although his work was limited to four hour's job he was paid the full wages as per minimum wages Act. This coupled with the earlier discussion clearly cuts at the root of the case of the Management that the workman was engaged on part time basis contractually as no management having paid full wages would ever prefer to engage a worker for four hour's only.

10. From the circular of Prasar Bharati dated 8-10-1998 (Ext.-B marked on behalf of the Management) it

appears twit in 1998 a circubr was issued to stop engagement of casual workers. Despite such instruction some of the All India Radio Stations approached the above authority for permission to engage such workers. As a consequence the above circular was again issued asking again not to engage such workers but to explore the possibility of getting the cleaning and other sundry fobs done by egaging part time workers on nominal payment. From the earlier discussion it appears that the management by giving a circumvent interpretation to the above circular evolved a method of engaging a single person against two part time job as has seemingly been done in case of the workman. As this practice lead to further complication the Prasar Bharati in its subsequent circular dated 10-7-2001 (Ext.A) asked all the Radio Stations and Doordarshan to withdraw such appointment. The evidence of Management witness shows that as a consequence there of the workman was refused further engagement from 10-12-2001.

11. To justify the case that the workman was engaged on part time basis the Management has produced certain contingent vouchers or 1 1996, 1997 marked Ext.4/1 and 4/2. These documents no doubt indicate that the workman was engaged on petty contract basis for operating the pump alone. But such recording can not be accepted as true reflection of the real state of affairs as the other documents marked on behalf of workman as Ext. 25, 26 and 27 speak otherwise that he was also engaged for repairing the electrical goods etc. From the discussions made earlier it can very well be said that those documents Ext.-4/1 and 4/2 have been prepared to suit the purpose of the Management. The payment of full wages to the workman and the very suggestion of the management made to the workman during cross examination that he being paid such full wages despite his part time engagements spell out the real truth that the workman was engaged for the entire 8 hours both for operating the water pumps and to attend other miscellaneous electrical work as claimed by the workman in his evidence. Ext.-4 a letter of the Superintending Engineer addressed to Asst. Labour Commissioner (Central) indicates that the workman was working continuously ever since 24-6-1996 and therefore the action or the Management in refusing him employment with effect from 10-12-2001 without any advance notice or pay in lieu thereof amounts to illegal retrenchment warranting consequential relief to the workman.

12. Accounting reading of the evidence of the Management witness with that the letter Superintending Engineer marked Ext.-G would show that after terminating the workman and many other casual workers the Management by attaching those workers (Except the workman) to a contractor is managing the work and that the present litigation is the out come of the refusal of the workman to work under such contractor. It should not be lost sight of that in view of the judgment of Supreme Court dated 17-1-1986 the case between Surendra Singh & Others

Versus- Union of India, a circular has been issued by the Government of India prescribing different standards for regularization or casual workers working continuously year to year. Under the above circular provisions have been made for payment of 1/30th pay of a regular employee to those of the casual works who render similar duties and for this all Managements have been asked to enroll the deserving casual worker under Non-Permanent category for their future regularization. As I find in complete disregard to the above circular of Government of India all those who were working as casual workers have been attached to contractor as an circumvent attempt to escape the rigour of law. In the above premises while holding the termination of the workman illegal the Management is directed to pay him compensation of Rs. 2 lakhs towards illegal retrenchment, back wages and in lieu of his reinstatement. The Management is further directed to think of considering the case of all the casual workers who have been all, attached to a contractor in the light of the circular of the Government of India so as to impanel suitable persons under Non- Permanent category of employees for their future regularization. The case of the workman is also to be examined in the above light.

13. The reference is answered accordingly.

Dictated & Corrected by me.

N. K. R. MOHAPATRA, Presiding Officer

नई दिल्ली, 31 अगस्त 2006

का.आ. 3830.--औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-2, नई दिल्ली के पंचाट (संदर्भ संख्या 226/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-8-2006 को प्राप्त हुआ था।

[सं. एल-12012/62/98-आई आर(बी-II)]

सी. गंगाधरण, अवर सचिव

New Delhi, the 31st August, 2006

S.O. 3830.—In Pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 226/1998) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure in the Industrial Dispute between the management of Punjab National Bank and their workman, received by the Central Government on 30-8-2006.

[No. L-12012/62/1998-IR(B-II)]

C. GANGADHARAN, Under Secy.

ANNEXURE
BEFORE THE PRESIDING OFFICER: CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL CUM
LABOUR COURT, NEW DELHI

Presiding Officer : R.N.Rai.

I.D. No.226/1998

In the matter of:—

Shri Narain Singh,
 New Bank of India Employees Union (Delhi)
 Now Change to Punjab National Bank Workers Union,
 C/o Punjab National Bank
 L-Block, Connaught Place
 New Delhi - 110001.

VERSUS

The Senior Regional Manager,
 Punjab National Bank,
 North Delhi Zone
 Antriksh Bhawan
 K.G. Marg,
 New Delhi - 110001.

AWARD

The Ministry of Labour by its letter No. L-12012/62/98 IR (B-II) CENTRAL GOVERNMENT DT. 4-12-1998 has referred the following point for adjudication.

The point runs as hereunder :—

“Whether the dismissal of Shri Narain Singh, Armed Guard in Branch Office of Punjab National Bank at Fatehpur, Delhi is justified in the facts of the case? If not, to what relief the said workman is entitled?”

The workman applicant has filed claim statement In the claim statement it has been stated that Shri Narain Singh joined the services of the erstwhile New Bank of India as Armed Guard on 21-10-85 after retirement from Military.

That Shri Narain Singh had an excellent, meritorious and unblemished service record in the Military before joining the services of the erstwhile New Bank of India. That pursuant to notification by the Ministry of Finance (Banking Division), Govt. of India, New Delhi New Bank of India was merged with the Punjab National Bank on 4-6-1993.

That ever since the amalgamation of these two banks, the management of Punjab National Bank nakedly adopted the policy of a step motherly treatment with the employees of New Bank of India. The Management of Punjab National Bank formulated discriminatory and vindictive Transfer Policy dated 16.9.1993 where under mass transfers of the employees were effected throughout the country to remote and far flung places. Not only this, the seniority of the employees were effected throughout the country to remote and far flung places. Not only this, the seniority of the employees of erstwhile NBI was scaled down to half. Large

scale charge sheets with false and frivolous allegations were served on the innocent employees of ENBI with the sole object of terrorising and victimising them. The quantum of gratuity admissible to the employees of ENBI was considerably reduced.

That against such partisan, biased and discriminatory policies of the Bank, strong protests were lodged by the employees of ENBI.

That Shri H.L. Verma, who has close and proximate links with the Disciplinary Authority and the Appellate Authority, was intentionally and purposefully posted as Senior Manager at B.O. Fatehpuri, Delhi on 6-9-93 with specific instructions to chargesheet one employee of ENBI in each and every cadre and spread the reign of terror to suppress and crush the protests lodged by the employees of ENBI against the vindictive, discriminatory and oppressive policies of the Punjab National Bank.

That Shri Narian Singh, Armed Guard had been made the scapegoat by building up a malicious case of Gross Misconduct against him for alleged scuffling on 12-10-1993 with the said Senior Manager.

That by a chargesheet dated 13-10-1993, it was alleged that Shri Narain Singh remained absent unauthorisedly, held the duplicate set of keys of the branch premises unauthorisedly, indulged in manhandling with the Senior Manager and created indiscipline prejudicial to the interest of the Bank.

That the charges levelled against Shri Narain Singh were totally false, illconceived and framed against him with malafide intention/ulterior motive in a conspiracy hatched by the management of the Bank to sack him from the service of the Bank.

That Shri Narian Singh has always performed his duties honestly, diligently, faithfully, all along his service career and always maintained high office decorum, give due respects to superiors by obeying them. This fact is fortified that although his working hours were from (9.30 A.M. to 5.30 P.M.) even though he was working late for closing the Branch Premised with no extra benefits under the instructions of Senior Manager.

That on 9-10-1993, in the afternoon, Shri Narain Singh was feeling Sick and after obtaining verbal permission from Senior Manager, he left for home and simultaneously handed over the duplicate set of keys to the Senior Manager.

That due to continued illness, Shri Narian Singh was taken to Shaili Nursing Home and U/S Centre, Near Bus Stand Rohtak Road, Jhajjar (Haryana) for his treatment and remained under treatment from 11-10-93 to 15-10-93 (both days inclusive) at the above Nursing Home. The Doctor attending Shri Narian Singh declared him fit to resume from 16-10-93.

That on 16-10-93, after availing Sick/Medical Leave for the said period when Shri Narian Singh reported for duties to B.O., he was refused to join his duties by the Senior Manager saying that he had been placed under suspension w.e.f 12-10-93 on the alleged charge of scuffling with him in the morning of 12-10-93.

That the chargesheet dated 13-10-1993 was issued to Shri Narian Singh by the Senior Manager who himself was the complainant and the only witness to the alleged charge of scuffling as against the Regional Manager notified by the Bank vide P/d Circular No. 1012 dated 13-4-1987, delegating powers to various functionaries of the Bank to hold enquiries, take disciplinary actions and pass original orders and hear and dispose of the appeals in respect of its different offices.

It is the cardinal principle that No delegation of power is possible by a delegatee. It is also stated that under the provisions of Bipartite Settlements, the power of disciplinary authority including the power of discipline authority including the power to issue chargesheet and place the employee under suspension, cannot be delegated. Reference may be made to clause 3(b) as incorporated to Bipartite Settlement dated 31.10.79 to Para 19.14 of the First Bipartite Settlement which reads as under :—

"The Chief Executive Officer or the Principal Officer in India of a Bank or an alternate officer at Head Office or Principal Officer nominated by him for the purpose, shall decide which officer shall be empowered establishment. It is clarified that the Disciplinary Authority may conduct the enquiry himself or appoint another officer as the Enquiry Officer of the purpose of conducting an enquiry.

Under this Clause, the only power that can be delegated by the Disciplinary Authority is the holding of enquiry and all other powers pertaining to disciplinary actions viz. issuance of chargesheet upto the final order on punishment in the light of findings of enquiry proceedings has to be undertaken by the Disciplinary Authority himself alone. The reason is obvious. A very delicate duty has been cast upon the Disciplinary Authority himself alone. The reason is obvious. A very delicate duty has been cast upon the Disciplinary Authority which entails consideration of the fact-finding report with materials on record to determine prima-facia a case against the delinquent employee before initiating administrative or disciplinary action in respect of misdemeanour reported.

That it is stated that the suspension order dated 12-10-1993 and the charge sheet dated 13-10-1993 havenot been issued by proper and competent authority for the reasons :

"Suspension was issued by the Sr. Manager who is not the D.A."

"Charge sheet was issued by the Sr. Manager who is not the D.A."

That the management of the bank hatched a conspiracy to sack Shri Narain Singh from the services of the bank on false and frivolous allegations. On 11-10-1993, the Police Patrol during usual visit to the B.O. for security checking, recorded in the bank's diary as follows :—

"Checked the bank at 10.40 am the Guard was not found present on duty and talked to the Manager. The Manager said that the Guard is on C.L."

On 11-10-1993 "Checked the bank as on 10.40 a.m. The Guard found not present on duty and talked to the Manager, Manager said that the Guard is on C.L. and chowkidar found present on duty without dress and briefed properly.

On 12-10-1993, the Police Patrol during visit, recorded the following remarks in the bank's diary.

"Checked the bank at 10.35 a.m. The Guard not found present on duty. On inquiry the Manager told that he is on leave."

Sd/
Mahesh Chand

Again, on the very same day in the afternoon, Police Patrol visited the bank at 1.10. p.m. and found the Guard absent. The Manager has told that the Guard has been suspended today and another Guard will be arranged tomorrow.

The chain of the above facts do not establish any nexus with the alleged scuffling with the Sr. Manager by Shri Narain Singh since the Police Patrol which visited the bank on 12-10-1993 at 10.35 a.m. had confirmed in writing on bank's diary that the Guard not found present on duty which is further substantiated by the fact that he remained under medical treatment from 11-10-1993 to 15-10-1993 at Shaili Narsingh Home and VIS Centre with medical certificate from the Doctor attending him during the period.

Shri Narain Singh submitted his Medical Certificate issued by the attending Doctor for availing sick/medical leave as admissible to him under his service conditions coupled with the fact that the statement by the Manager to the Police Patrol on 11-10-1993 and 12.10.1993 that the Guard is on C. L. and leave. Thus it cannot be alleged that Shri Narain Singh remained absent unauthorisedly.

That the allegation that Shri Narain Singh was holding the duplicate set of keys of the branch premises unauthorisedly is wrong and misconceived. In fact, the duplicate set of keys were handed over to the incumbent incharge on 9-10-1993 itself and the same were with the branch office. The above fact has also been confirmed by the disciplinary authority in his order dated 24-8-1994. As such how Shri Narain Singh can be charged with that he was holding the duplicate keys of the branch premises unauthorised in the charge sheet dated 13-10-1993 framed and issued by Sr. Manager who himself is the complainant in the case. It very clearly establishes the biased and

prejudicial attitude of the Sr. Manager against him. The whole idea of placing Shri Narain Singh under suspension w.e.f. 12-10-1993 and issuing charge sheet dated 13-10-1993 is a cooked up story of the Sr. Manager to implicate him maliciously on false and frivolous allegations.

That in pursuance of the charge sheet dated 13-10-1993 a mock departmental inquiry was held/conducted without complying with basic requirements of the principles of natural justice as laid down by the Hon'ble Supreme Court of India in the case of *SUR ENAMEL AND STAMPING WORKS LTD. VS. THEIR WORKMEN* (1963) II LLJ 367. The inquiry officer in the course of inquiry proceedings committed serious infirmities which is fatal to inquiry proceedings.

- not acted judicially and impartially and had bias and prejudice attitude not applied his mind while evaluating/appreciating the evidence adjudge its worth.
- he proved the charges on the basis of assumption and surmises.
- he administered in justice for not admitting medical certificate produced by Shri Narain Singh as his defence document.
- he accommodated the failure on the part of Sr. Manager of the bank to produce main eye witness of the alleged incident of scuffling purported to have taken place on 12-10-1993.
- he did not admit bank's diary containing the remarks recorded by Police Patrol during visits to the bank and the averments of the Manager declaring Shri Narain Singh on leave on 11-10-1993 and 12-10-1993.
- he admitted "Defective" Medical Certificate produced by Sr. Manager without verification by the doctor.

The conclusion of the Inquiry Officer was incorrect and stands vitiated for the following reasons :—

- he did not apply his minds while evaluating the evidence adjudge its worth;
- he concluded the inquiry summarily as charges proved on the assumption and surmises;
- he admitted the medical certificate of the Sr. Manager (the complainant) for proving the charge deliberately despite his declaration thereof as "Defective" for want of the signature of Sr. Manager and its verification by the Doctor treating him and issuing the same in the course of inquiry proceedings;
- he did not give any justification for not admitting the medical certificate of Shri Narain Singh as his defence document.

- he did not consider the submissions of Shri Narain Singh for deliberate failure on the part of the Presenting Officer to produce the management witness (Shri Prem Singh Canteenwala) who is purported to have witness the scuffle on the 12-10-1993.
- he did not take into consideration the physique of Shri Narain Singh while relying on the statement of Sr. Manager.

That the disciplinary authority on receipt of the inquiry report from the Inquiry Officer considered the findings of the inquiry officer at his level and issued show cause to Shri Narain Singh proposing therein the punishment of dismissal from the services of the bank without supplying the copy for the inquiry proceedings to him and denied to him an opportunity to represent his submissions/contentions on materials facts left over and/or not considered/incorporated by the inquiry officer. The Hon'ble Supreme Court of India in the leading case of *Managing Director, ECIL, Hyderabad and Others Vs. B.K. Karunakar* (1993) 4 SCC 727, has emphasised the necessity to supply the copy of the inquiry proceedings to the delinquent employee prior to consideration thereof by the disciplinary authority.

That after considering the Enquiry Report at his level and proposing the punishment, the Disciplinary Authority supplied the copy of the enquiry proceedings to Shri Narain Singh.

That Shri Narain Singh replied the above show cause notice on 16-8-93, pleading himself that innocent with report absolved from all false and frivolous charges levelled against him.

That the Disciplinary Authority ordered the illegal dismissal of Shri Narain Singh from the services of the Bank without notice, in the absence of reasoned speaking orders and also without any justification for rejecting orders and also without any justification for rejecting the contentions/submissions raised/made against his illegal dismissal. The disciplinary Authority also committed the following serious infirmities :

- He did not supply the copy of the Enquiry Report to Shri Narain Singh prior to proposing the punishment in utter violation of the guidelines laid down by the Hon'ble Supreme Court of India in the case of *Managing Director, ECIL, Hyderabad Vs. B.K. Karunakar* thereby denying the delinquent employee an opportunity to represent his submissions on material facts not considered/incorporated by the Enquiry Officer.
- He did not pass reasoned/speaking orders or justify reasons for rejecting submissions/contentions made/raised by Shri Narain Singh vide his letter dated 16-8-94.

That Shri Narain Singh exercised his right of appeal on 12-9-94 to the Appellate Authority against the illegal dismissal order passed by the Disciplinary Authority on 24-8-94.

That the Appellate Authority also rejected the said appeal on 3-12-94 without passing speaking orders. Although all the contentions/submissions against the illegal dismissal were duly incorporated in his appeal and the same were within the knowledge of the Appellate Authority, he was firm to sack Shri Narain Singh.

That the Enquiry Officer, Disciplinary Authority and the Appellate Authority, all of them rejected the contentions/submissions raised/made through representation in writing without passing reasoned/speaking orders. They were biased, prejudiced and did not give weight to the past meritorious and unblemished Military record and subsequent excellent service record of ENBI which establishes the malafide and ulterior design on their part to sack Shri Narain Singh from the services of the Bank.

That one of the indirect requirements of the principles of natural justice is proportionate punishment i.e. punishment must be commensurate with the gravity of the misconduct.

From the simple reading of the chargesheet dated 13-10-93, which would ex-facie show that the charges are frivolous and concocted as there is not a single witness adduced for evidence by the Senior Manager in support of his false allegations, although he confirmed that there was an eye witness to the incident alleged to have taken place on 12-10-93.

That aggrieved with the illegal dismissal by the Bank Shri Narain Singh moved to the Hon'ble High Court of Delhi by way of Writ Petition No. 922/1995, challenging his illegal dismissal from the services of the Bank ordered by the Disciplinary Authority on 24-8-94 and confirmed by the Appellate Authority on 3-12-94. The said Writ Petition which came up for hearing on 14-9-95, was admitted and the following orders were passed.

'List the petition for disposal in the category of the 'Regular'. Counter-Affidavit to be filed by the respondents within four weeks with advance copy to the counsel for the petitioner who may file rejoinder within two weeks thereafter.

That in the Counter-Affidavit, while raising preliminary objections, the Bank Respondents stated that the petitioner who may file rejoinder within two weeks thereafter.

That in the Counter-Affidavit, while raising preliminary objections, the Bank Respondents stated that the present writ petition is not maintainable for the reason that the petitioner is admittedly a workman as defined under the provisions of the Industrial Disputes Act, 1947. It was also stated that it has been held by the Supreme Court of India in various cases that the remedy provided under the

provisions of the Industrial Disputes Act, 1947 is more efficacious and since the alternate remedy is available to the Petitioner under the said Act. The Writ Petition is not maintainable and is ought to be dismissed on this ground.

On 27-10-97, the Petitioner filed an application for early hearing of the matter in Civil Writ Petition. While rejecting the application for early hearing and Counsel Withdrawal of the Writ Petition the following order were passed by the Hon'ble Court of Delhi on 10-11-97. "Dismissed as withdrawn with the liberty to raise the industrial dispute before the learned labour court."

In view of the facts and circumstances stated hereinabove, it is submitted that it is a cut and out case of illegal and vindictive dismissal with an idea of creating a region of terror to suppress and crush the legitimate and genuine protests lodged against the oppressive Bank by the employees of ENBI. Shri Narain Singh, armed Guard was the first target in Class IV Cadre. It is humbly stated as under :—

That the enquiry was a sham-show :

That fair and reasonable opportunity was openly denied to Shri Narain Singh to defend himself :

That Shri Narain Singh was denied to cross examine the management witness.

That the Medical Certificate submitted by Shri Narain Singh in support of his sickness from 11-10-93 to 15-10-93 was rejected by the Enquiry Officer :

That the Enquiry Officer was biased and vindictive authority right from the very beginning and he was only an instrument to hold the enquiry because he was acting under the dictates of somebody behind the curtain.

That the Disciplinary Authority was also biased and vindictive authority because he did not give due weightage to the meritorious and unblemished service record of both Military and Bank service while deciding upon the punishment of dismissal from the services of the Bank—Public hanging.

That the charge-sheet dated 13-10-93 was not issued by proper and competent authority as notified by the Bank vide ID circular No. 1012 dated 13-4-1987 in terms of the provisions of Bipartite settlement.

It is therefore, respectfully and humbly prayed that this Hon'ble Court be pleased to :—

Re-instate Shri Narain Singh immediately with retrospective effect with full back wages and continuity of service.

Pass such other further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

The management has filed written statement. In the written statement it has been stated that service conditions of bank employee are governed by various awards/settlements. Chapter 19 of the BPS provides for disciplinary action and procedure therefore. Disciplinary action against Shri Narain Singh was taken by the bank in accordance with the provisions of said chapter and during the inquiry he was provided with all reasonable opportunities to defend his case in keeping with the principles of natural justice. Finding that the charges levelled against him as proved, he was imposed with the punishment of dismissal. Bank has taken disciplinary action against Shri Narain Singh in accordance with the provisions of BPS. Hence, no prejudice can be said to have been caused to the workman.

Shri Narain Singh was working as guard at BO: Fatehpuri, Erstwhile NBI Branch which was merged with BO: Chandni Chowk. Consequent upon the merger of the NBI with PNB on 4-9-93 specifically Shri Narain Singh was served with the charge sheet dated 13-10-1993 for indulging in indecent, rude and violent acts in the branch premises. We scuffled with the Sr. Manager which an act of indiscipline prejudicial to the bank's interest. Besides this, other charges were also levied on him.

Vide office order No. 4/93 dated 18-9-1993 and office order No. 12/93 dated 1-10-1993 he was given one set of keys of the branch and he was asked upon to open the branch premises at 9.00 A.M. so as to give ample time for the branch to be cleaned and ready for customer service. Shri Singh duly noted the above office order but was coming late to the office and efforts made to orally persuade him to be more punctual in view of the crucial need to get the branch cleaned and ready before business hours was not adhered to.

On 11-10-1993 he remained absent unauthorisedly and without information, as result of which the branch could not be opened which again acted to the prejudice of bank's interest. On 12-10-1993 he reached the office at 9.20 A.M. Against his duty hours which began at 9.00 A.M. and the branch had to be opened by the incumbent incharge Shri H.L. Verma who had another set of keys. He was thereafter called by Shri Verma to the cabin and it was inquired from him the reasons for his remaining absent on the previous day i.e. 11-10-1993 and also for coming late on 12-10-1993.

In response to his query, Shri Narain Singh replied that he comes to office by train and whenever the train comes late he will reach the branch accordingly. To this, Shri H.L. Verma advised Shri Narain Singh to make arrangements for his stay in Delhi. On hearing the advise of Shri Verma, Shri Narain Singh angrily spoke as under:

"Aap ke bap ka raj hai jo main Delhi main rahunga, aap gaand ka jor laga lain, jab chahunga tab auunga."

He then rushed towards Shri Verma and pushed him on the ground and scuffled in such a manner that Shri Verma was physically hurt. A canteen worker by the name of Shri Prem Singh had to remove Shri Narain Singh from

Shri Verma and took him outside the bank's premises with the help of 2 outsiders. Shri Narain Singh thereafter left the bank's premises without handing over the keys to the incumbent Shri H.L. Verma and for security reasons the locks of the gate of the branch had to be changed.

Thus charge sheet dated 13-10-1993 followed in which charges of gross misconduct under para 19.5 (c, d, e & j) were levied along with the charges under para 19.7 (a & b) pertaining to minor misconduct. The above charge sheet was issued in terms of the Industry level BPS applicable to him with the approval of the competent authority. Shri Narain Singh did not submit reply to the charge sheet although another opportunity was given vide letter 23-10-1993, the competent authority then thought it expedient to constitute a departmental inquiry into charges levelled against Shri Narain Singh vide its order dated 17-11-1993. Shri Narain Singh along with D.R. participated in the departmental proceedings from 28-12-93 to 15-3-1994. Therefore, full opportunity to defend himself was given through departmental inquiry in consonance with the principles of natural justice. The following charges were held proved by the Inquiry Officer.

- That Shri Narain Singh had indulged in indecent, rude and violent act in the bank's premises.
- That he scuffled with the Sr. Manager which was an act of indiscipline and prejudicial to the bank's interest.
- That he had been keeping the keys of the bank with himself unauthorisedly.
- It was also party proved that he remained absent from bank's duties unauthorisedly.

Shri Narain Singh was found guilty of gross misconduct and as per the provisions of the Industrial Dispute Act and Industry Level BPS, show-cause notice along with the copy of inquiry report was issued to Shri Narain Singh on 14-5-1994 proposing the punishment of dismissal from the bank's services without notice giving him 7 days time to reply to the same. Personal hearing was also scheduled for 30-5-1994 and he did not appear on the same and the personal hearing was again fixed for 16-8-94 to afford another opportunity to him. However, he chose to appear before the disciplinary authority on 16-8-94 along with his DR. The disciplinary authority confirmed the punishment of dismissal from bank's services without notice vide its order dated 24-8-94 after considering his pleas put forth during the personal hearing. He filed an appeal with the appellate authority who dismissed the same by a speaking order.

That in view of the above it is submitted that the action has been taken against Shri Narain Singh in accordance with the provisions of the BPS and the same is perfectly legal and valid.

That Shri Narain Singh joined the services of erstwhile New Bank of India being an ex-serviceman. Rest of the contents are wrong and denied and even otherwise they are not relevant.

The contents of para 3 are true that the erstwhile NBI was amalgamated with the Punjab National Bank. The date of amalgamation is 4-9-93 and not 4-6-93.

That the contents of para 4 are denied. It is not true that the management of Punjab National Bank adopted the policy of step motherly treatment with the employees of New Bank of India or formulated discriminatory and vindictive transfer policy. The employees were transferred as per the requirement of the bank. The seniority of the employees of ENBI was reduced to half by a notification by the Government issued on 8-12-1993 and the same stands upheld by the Hon'ble Supreme Court vide its judgment dated 13-3-96. It is not true that false and frivolous allegations were served on employees of ENBI with the objective of victimising them.

It is not true that a case has been built up malaciously against Shri Narain Singh, Armed Guard. The brief facts of the case have already been mentioned above clearly stating the reasons for issuing charge sheet to Shri Narain Singh.

It is correct that charge sheet dated 13-10-93 was issued to Shri Narain Singh charging him for indecent and violent act in the bank premises, on account of scuffling with Sr. Manager which is an act of indiscipline, for not obeying the orders of senior officers, for remaining absent from the bank unauthorisedly and for keeping the keys of the branch with him unauthorisedly.

That the charge sheet was issued to Shri Narain Singh for omissions/commissions on his part and there was no ulterior motive on the part of the management.

This para is not admitted as he did not obey the orders of the Sr. Manager for reaching the branch in time, rather he manhandled the Sr. Manager and also uttered abusive language to him. It is wrong and denied that Shri Narain Singh left the branch premises on 9-10-93 since he was feeling sick after obtaining verbal permission from the incumbent incharge of the branch. In fact he left the branch premises without taking permission from the Branch Manager and also without marking of his evening attendance.

That the contents of para 12 & 13 as stated are wrong and denied. It is denied that Shri Narain Singh was ill or was under treatment as alleged or otherwise. It is further submitted that since Shri Narain Singh was already placed under suspension for his acts of insubordination on 12-10-93 there was no question of allowing him to join his duties on 16-10-93.

The charge sheet dated 13-10-93 was issued by the Sr. Manager who was competent to do so in terms of circular No. 1012 dated 13-4-87.

In reply to para 15 it is stated that in terms of bank's circular No. 1012 dated 13-4-87, the incumbent incharge of each office has been empowered to issue and serve charge sheet on the defaulting workman and even to suspend them if considered necessary after obtaining prior approval from the disciplinary authority in terms of para 19.14 of the BPS dated 1-10-1966 as amended by settlement dated 31-10-1979. In the instant case even if the suspension order and the charge sheet were issued by the Sr. Manager who is not the disciplinary authority yet he is competent authority in terms of the above circular of the bank.

There was no conspiracy on part of the management to sack Shri Narain Singh from the service of the bank. The rest of the para as stated by the claimant is denied. As reported in the facts of the case Shri Narain Singh did not report for duty on 11-10-93 and he reported on 12-10-93 at 9.20 A.M. when the incident of manhandling took place and thereafter he left the branch premises without handing over the keys. The incident was too gross in nature and resulted in his suspension from the bank's duties, as such, it is misconstrued that Shri Narain Singh was on leave on 12-10-93. It is wrong and denied that Shri Narain Singh was not well and had to take treatment from Shally Narsingh Home, an Ultra Sound Centre, Jhajhar, Haryana from 11-10-93 to 15-10-93 both days inclusive. It is just to cover his misdeeds of 12-10-93 in manhandling the Sr. Manager. BO: Fatehpuri, Delhi that he sent an application along with medical certificate through Regd. Post on 20-10-93 with the ulterior motive.

That the contents of this para are denied. Shri Narain Singh did not hand over the keys to the Sr. Manager as claimed by him. As already stated the allegations against Shri Narain Singh were duly proved during the departmental inquiry.

It is denied that a mock departmental inquiry was conducted. It is, however, affirmed that full opportunity was given to the defence as stated in the facts of the case and the procedure as laid down in the BPS was followed. It is further submitted that findings of the Inquiry Officer are based upon the material on the record.

In reply to para 18 it may be stated that there has been no violation of the guidelines of Hon'ble Supreme Court of India. The inquiry report was sent along with show-cause notice when the management had not taken any final decision and had only proposed the punishment. Shri Narain Singh in fact did submit his representation on the conclusions drawn by the EO in his inquiry report at the time of personal hearing afforded to Shri Narain Singh by the disciplinary authority. As such, it is denied that copy of the inquiry report was not provided. In fact, full opportunity was given to Shri Narain Singh to give his comments as to why the proposed punishment be not confirmed upon him. In any case it is submitted that no prejudice can be said to have been caused on this score to Shri Narain Singh.

The date of the show cause notice be read as 14-5-94 and Shri Narain Singh appeared for personal hearing on 16-08-94 when he put forth his submissions before the disciplinary authority.

The disciplinary authority passed final order dated 24-8-94 after duly considering the inquiry report and the evidence put forth and also the submissions made by Shri Narain Singh and confirmed the punishment of contentions raised by the claimant in the para are not true and hence denied.

It is true that Shri Narain Singh filed an appeal against order dated 24-8-94 of the disciplinary authority.

Para 22 is denied. The appellate authority after duly considering the appeal and the totality of circumstances passed a speaking order while confirming the orders of the disciplinary authority.

That the contents of this para are not admitted. The submissions made by Shri Narain Singh were duly considered by the disciplinary and appellate authority and they passed reasoned/speaking orders. There was no bias or malafide intentions on their part. The punishment is in proportion with the misconduct on part of Shri Narain Singh.

It is denied that the charges are frivolous and concocted. The fact is that Shri Narain Singh manhandled the Sr. Manager BO: Fatehpuri on 12-10-93. Since the incident happened early in the morning at about 9.20 AM, none of the staff members were present and Shri Narain Singh took advantage of the situation and attacked the Sr. Manager. It may, however be stated that the person who was running the canteen at the branch premises, was not a member of staff, initially gave in writing that Shri Verma, the Sr. Manager was lying down and Shri Narain Singh was sitting over him and he called two people from outside the branch premises before the Inquiry Officer in the departmental inquiry held against Shri Narain Singh probably because of the fact that the subject had put pressure on him for not appearing as witness. It would not be out of place to mention that in the meanwhile the branch at Fatehpuri, Delhi was shut down and the services of Shri Prem Singh, Canteen Contractor were done away with.

That in view of the submissions made hereinbefore it is respectfully submitted, that the departmental action was taken against Shri Narain Singh in accordance with the provisions of the BPS and the punishment inflicted is commensurate with the gravity of the allegations established against Shri Singh in the duly conducted departmental inquiry. Accordingly it is respectfully prayed that the Hon'ble Tribunal may kindly be pleased to hold that the action of the management in dismissing Shri Singh from the services of the bank is legal and justified and further that Shri Narain Singh is not entitled to any relief whatsoever. Further it is submitted that it is the submission of the bank that the departmental inquiry has been conducted in accordance with the provisions of the BPS

but in case for any reason whatsoever the Hon'ble Tribunal comes to the conclusion that the departmental inquiry conducted against Shri Narain Singh is not fair and proper, in that eventuality, bank would like to lead evidence before the Hon'ble Tribunal to establish the allegations against Shri Narain Singh as made in the charge sheet.

The workman applicant has filed rejoinder. In his rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

Heard arguments from both the sides and perused the papers on the record.

It was submitted from the side of the workman that the New Bank of India was amalgamated with the Punjab National Bank and the Punjab National Bank formulated discriminatory and vindictive transfer policy dated 16-09-1993. The PNB served large scale charge sheets with false and frivolous allegations on the innocent employees of the ENBI with the sole object of terrorising and victimizing them.

The workman applicant also fell victim of their vindictive policy and he was charge sheeted for the charges of manhandling Shri H.L. Verma and abusing him in his chamber on 12-10-1993 at 9.20 AM.

It was further submitted that Shri Narain Singh the workman was absent on that day. He was ill and getting his treatment. He was not present on that day. The Sr. Manager, Shri H.L. Verma had closed the personal links with the disciplinary authority and appellate authority. He was intentionally posted as Sr. Manager at Branch Office, Fatehpuri, Delhi on 06-09-1993 with specific instructions to charge sheet one employee of ENBI in each and every cadre and spread the reign of terror to suppress and crush. Protest were lodged by the employees of ENBI against the vindictive, discriminatory and operative policy of the Punjab National Bank.

It was further submitted that on 09-10-1993 in the afternoon Shri Narain Singh was feeling sick and after obtaining the verbal permission from Sr. Manager he left for home and simultaneously handed over the duplicate set of keys to the Manager. He remained under treatment from 11-10-1993 to 15-10-1993 (both dates inclusive) at the above Nursing Home. The Doctor attending Shri Narain Singh declared him fit to resume his duties from 16-10-1993.

It was submitted from the side of the management that it has not been pointed out as to what other employees of ENBI has been charge sheeted by Shri H.L. Verma so there appears no merit in the contention that Shri H.L. Verma

was posted to charge sheet one employee of every cadre and to suppress and crush the protest lodged.

It has not been pointed out in evidence as to who else employee was proceeded against on the complaint of Shri H.L. Verma so it cannot be held that the PNB wanted to create reign of terror and to suppress.

It was submitted by the management that the workman Shri Narain Singh did not file any copy of certificate and application for leave from 11-10-1993 to 15-10-1993 in the course of inquiry. In case he was on medical leave and he has sent the original application along with the medical certificate, he should have filed the photocopy of the medical certificate and application in the course of inquiry.

It was further submitted that it has not been even suggested that the workman was on medical leave in inquiry. It has not been also suggested that the workman was absent on 12-10-1993 during the whole course of cross examination of the management witness Shri H.L. Verma on 12-10-1993.

It was submitted that the workman has taken the case of being ill from 11-10-1993 to 15-10-1993 only in reply to show cause notice after the findings of the Inquiry Officer. The workman has not taken the specific case during the course of inquiry that he was on medical leave and he was absent on that day. The workman has not taken the plea that according to the bank diary he was on casual leave on 10-10-1993, 11-10-1993 and 12-10-1993, so the case of medical leave and the absence of the workman and the case of reporting in diary has been taken for the first time in reply to the show cause notice issued by the disciplinary authority. It may be that the bank's diary was not within the reach of the workman and he would have come to know regarding the reporting the bank's diary later on but the plea that he was under treatment and he has sent medical certificate should have been taken during the inquiry proceedings. No question has been put to Shri H.L. Verma, that the workman absented on 12-10-1993 and he was on medical leave. It appears that this case has been taken in reply to show cause notice in order to show that the workman was absent on that day and so there was no question of manhandling and abusing the complainant Shri H.L. Verma. Not even photocopy of the medical certificate of the workman has been submitted in the court. It was submitted from the side of the workman that the case of the workman is that he was feeling sick and after obtaining verbal permission he left for home and simultaneously handed over the duplicate set of keys to the Sr. Manager. This is the case of the workman in the claim statement. But no question to the complainant has been put regarding this fact during the course of inquiry. This establishes the fact that the workman's case of leaving the bank on 9-10-1993 after verbal permission is false and concocted one and it has been taken to establish his absence.

It was further submitted from the side of the workman that in the bank's diary it has been mentioned that the Guard was not present on duty and the Manager told him that he was on casual leave.

It was further submitted that the Police Patrol visited the bank on 12-10-1993 at 10.35 AM and the workman was not found present on duty and it was told by the Manager that he was on leave.

It was submitted from the side of the management that reporting is done by the person sitting outside whereas the complainant Shri H.L. Verma always remains inside. However, the photocopy of the diary has not been filed with the record and no question was put to Shri H.L. Verma during his course of inquiry regarding the Bank Diary. The crux of the question is whether the workman was present on 12-10-1993 or not. The workman has been examined in this court on 02-03-2006. He has stated in his cross examination "I did not come on 09-10-1993. I was not present on 09-10-1993, 10-10-1993 and 11-10-1993. I was on medical leave. I fell ill while I was on duty on 05-10-1993. I informed the Sr. Manager and went away. I left the bank premises at 2 O'Clock on 05-10-1993 after informing the Sr. Branch Manager regarding my illness. I did not give any application regarding my illness. I sent medical certificate for the period 5 to 10th October on 11-10-1993. I do not know Shri H.L. Verma, R.K. Gupta was the Sr. Manager of the branch. There was no scuffle on 12-10-1993 and I was told that I have been suspended from the bank so I went away."

From these admission of the workman it appears that he was on medical leave from 05-10-1993 to 11-10-1993 but the case of the claimant is that he left the bank on 09-10-1993 and he remained under treatment from 11-10-1993 to 15-10-1993. Since the workman was not on medical leave so in his evidence he has stated that he was on medical leave from 05-10-1993 to 11-10-1993. His claim case is that he left the bank on 09-10-1993 but in evidence he has said that he left the bank on 05-10-1993. These two contradictory statements in the claim and in cross examination adverted to above establish the fact that he is telling lies. He has not supported the claim of his case in his evidence.

It becomes quite obvious from the evidence of the workman in the court that he sent medical certificate for the period 05-10-1993 to 11-10-1993. This question in the inquiry which took place after a month has not been asked from Shri H.L. Verma, the complainant. It becomes obvious also that the workman went to the bank on 12-10-1993 and he was told that he had been suspended from the bank so he went away. This statement of the witness establishes beyond any doubt that he went to the bank on 12-10-1993. He was present in the bank on 12-10-1993 but he was not suspended on 12-10-1993. This evidence of the workman is absolutely false. The workman has admitted that he went

to the bank on 12-10-1993 so there is no merit in the argument of the counsel of the workman that he was absent on 12-10-1993. The workman according to his own statement in the court went to the bank on 12-10-1993 so he was present in the bank when the incident took place.

It was further submitted that from perusal of the inquiry report it appears that the burden has been thrown on the workman to prove the fact that he did not assault the Sr. Manager and use abusive language.

Shri H.L. Verma is a Sr. Manager. He holds officers post. No such person would involve a workman regarding his own manhandling falsely. In case he had intention to falsely implicate and to involve the workman in such type of incident he should have concocted some other misconduct. It is quite natural that an Officer will not complain of assault and using abusive language to him in case it has not so happened. It has been held by the Hon'ble Apex Court in a number of cases that sole testimonies sufficient for holding the charge proved in a domestic inquiry. In this domestic inquiry there is only one witness and he is the victim of assault and he has made a complaint. The workman was present on 12-10-1993. It was but natural for the Sr. Manager to inquire from him as to why he was on leave without prior approval. The complaint Shri H.L. Verma inquired from him and at that time the workman abused and assaulted him. The workman has also stated that he was on leave on 09-10-1993 and he has not moved any application for leave. He was permitted to go on verbal request.

It was further submitted that Shri H.L. Verma initiated proceedings. He served charge-sheet and he was himself the witness. He has discharged the duties of initiation of disciplinary proceedings. He was himself the victim so disciplinary proceedings should have been initiated by any other authority.

It has been held in 1996 SC Director General, ESI Vs. T. Abdul Razak that the legal position is well settled that it is not necessary that authority competent to impose the penalty must initiate disciplinary proceedings and that proceeding can be initiated by any superior authority who can be held to be the controlling authority who may be an officer subordinate to the appointing authority.

In view of the judgment of this Hon'ble Apex Court Shri H.L. Verma can initiate proceedings as he is an officer. He is a Sr. Officer and he is an Officer subordinate to the appointing authority. This contention is not sustainable.

It was further submitted that the documents were not supplied to the workman prior to initiation of the inquiry. He has been served charge-sheet. There was no document except the complaint of Shri H.L. Verma and that complaint has been sent to him. So no prejudice has been caused for non-supply of documents.

The workman has been supplied a copy of the inquiry proceedings as it has not been stated in the personal

hearing before the appellate authority that he was not supplied a copy of inquiry proceedings so 1993 (4) SCC 727 is not applicable in the facts and circumstances of the present case.

It is found proved that the workman was present on 12-10-1993 and he was absent on 11-10-1993, so it was but natural for the Sr. Manager to summon him in his office and to inquire from him regarding his absence on 11-10-1993. The workman got infuriated and he assaulted Shri H.L. Verma the Sr. Manager and he used abusive language. The workman has absolutely failed to prove his claim statement. His claim statement is rather dis-proved.

It was further submitted that the punishment imposed on the workman is excessive and it is not appropriate to the guilt proved against the workman. It has been held in a number of cases by the Hon'ble Apex Court that dismissal is the only appropriate punishment when abusive language is used to a Sr. Officer by an employee. In this case the workman has not only used abusive language but he has assaulted a Sr. Officer and he felt flat on the ground and two persons separated the both.

It was further submitted that Shri Prem Pal Singh was named as witness. Shri Prem Pal Singh was not available and the Inquiry Officer postponed the hearing on different dates. Adjournment was sought by the Presenting Officer but he held that evidence of Shri Prem Pal Singh was not necessary.

It was further submitted that the workman wanted to produce witness in defence but he was not permitted to by the Inquiry Officer. The Inquiry Officer held that the witnesses to produced are regarding the previous conduct of the workman. There was no charge on his previous conduct so the witness regarding previous conduct were not relevant to him and they are not relevant in any case as there is no charge on that count.

From the above discussions it is held that the inquiry is fair and the principles of natural justice have been followed and there is no defect in the inquiry. The workman is not entitled to get any relief as prayed for.

The reference is replied thus :—

The dismissal of Shri Narain Singh, Armed Guard in the Branch Office of Punjab National Bank at Fatehpur, Delhi is justified in the facts of the case. The workman applicant is not entitled to get any relief as prayed for.

Award is given accordingly.

Date: 28-08-2006.

R. N. RAI, Presiding Officer

नई दिल्ली, 31 अगस्त, 2006

का.आ. 3831--औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के

बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नं.-II, चंडीगढ़ के पंचाट (संदर्भ संख्या 594/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-8-2006 को प्राप्त हुआ था।

[सं. एल-40012/308/2000-आई आर(डी यू)]

सुरेन्द्र सिंह, डैस्क अधिकारी

New Delhi, the 31st August, 2006

S.O. 3831.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 594/2005) of the Central Government Industrial Tribunal-cum-Labour Court No.-II, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers on relation to the management of Department of Telecom and their workmen, which was received by the Central Government on 31-8-2006.

[No.L-40012/308/2000-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM- LABOUR, COURT-II, CHANDIGARH

Presiding Officer : SHRI KULDIP SINGH

Case No. I. D. No.594/2005

Registered on 23-8-2005

Date of Decision 12-6-2006.

Shakti Kumar S/o Sh. Dharam Singh, Sharma Studio Vill.
Raipur Khurd, Chandigarh-160001.

...Petitioner

Versus

Ministry of Communication, D/o Telecom, Sanchar
Bhawan, New Delhi-110001

...Respondent

APPEARANCE

For the Workman : N. K. Jeet

For the Management : Mr. G. C. Babbar,
Advocate.

AWARD

The workman continues to be absent. Management appears through Counsel. Since the workman was absent continuously, therefore, it was directed, on the last date of hearing, that as fresh notice be issued to the workman under registered cover. The notice to the workman was sent under registered cover, postal receipt No. 8503 dated 10th April, 2006. The notice has not been received back even after the expiry of two months when it was issued. There is presumption that the notice, which was sent on 10th April 2006, was served upon the workman, on his residential address, as given in the reference, and in the letter of authority, placed on record. From this the court is

satisfied that the notice was served upon the workman but he has chosen not to appear in the case.

On record there is claim Petition, reply of Management thereto, the rejoinder filed by the workman, affidavit of Shri S.L. Gupta, a witness of the Management. The workman has, however, not filed his affidavit nor he has come in the witness box to prove his pleadings. Thus, the Claim of the workman that he was appointed as Assistant Line Man on 1st Jan., 1995, by Shri Manocha and he served them upto 27th Feb., 1999, on which day the services of the workman were terminated by the Management, without following the provisions of Industrial Disputes, Act. The Management in their reply has categorically denied this fact. They have also taken a number of Preliminary objections to oppose the claim of the workman.

The basic question to be replied in this reference is whether the Management had terminated the services of the workman, without any justification and illegally on 27th Feb., 1999. As stated above, the workman has not supported his pleadings by any evidence. He has not come in the witness box to support his Claim Petition. Even his own affidavit to primafacie support his claim is not on record. Now he has chosen not to appear in the case even despite notices. The workman has, therefore, failed to prove that the management appointed him had terminated his services illegally and without justification on 27th Feb., 1999. He is, therefore, entitled to no relief. The reference is answered. Let a copy of this award be sent to appropriate govt. for necessary action and the file be consigned to records after due completion.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 31 अगस्त, 2006

का.आ. 3832.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-II, चंडीगढ़ के पंचाट (संदर्भ संख्या 640/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-8-2006 को प्राप्त हुआ था।

[सं. एल-40012/332/99-आई आर(डी यू)]

सुरेन्द्र सिंह, डैस्क अधिकारी

New Delhi, the 31st August, 2006

S.O. 3832.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 640/2005) of the Central Government Industrial Tribunal-cum-Labour Court No.-II, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workmen, which was received by the Central Government on 31-8-2006.

[No. L-40012/332/99-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE
CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-
LABOUR, COURT-II, CHANDIGARH

Presiding Officer : Shri Kuldip Singh

Case No. I. D. No. 640/2k5

Registered on 15-2-2000/24-8-2005

Date of Decision 5-6-2006.

Basant Singh, C/o Sh. N. K. Jeet, President, Telecom
 Labour Union, Mohalla Hari Nagar, Lal Singh Basti Road,
 Bhatinda (Punjab).

...Petitioner

Versus

Ministry of Communication, D/o Telecom, Sanchar
 Bhawan, New Delhi.

...Respondent

APPEARANCE

For the Workman : N. K. Jeet
 For the Management : Mr. G. C. Babbar,
 Advocate.

AWARD

The workman continues to be absent. Management appears through counsel.

On the last date of hearing Mr. N. K. Jeet who had been appearing for the workman all along stated that he has no instructions to appear in this case. From the perusal of the record it appeared that the workman filed the statement of claim through Sh. N. K. Jeet. He appeared all along through Sh. N. K. Jeet, who claimed himself to be duly authorized to file the Claim Statement and prosecute the case. He undertook to provide the address of the workman but did not provide the same and stopped appearing in the case. He did not appear in the case on the last date of hearing and is also not present today. On record there is no address of the workman other than "C/o Sh. N. K. Jeet", who, as stated earlier has stopped appearing in the case. The Court is at loss to serve the workman and to know his case. The workman himself has never appeared in the case. Thus it cannot be said whether workman with the name Basant Singh, was engaged by the Management and his services were terminated by them without following the provisions of law.

The Management, in their reply to the Claim of the workman, has submitted that the workman was neither engaged by them nor his services were terminated by them. Taking the assistance of the judgments passed by the Supreme Court and High Courts of the country, the Management has claimed that the workman was neither recruited nor his services were terminated by the Management. He might have worked as contract labourer and in that capacity he did not earn right to be regularized in services. The Management has shown complete ignorance about the status of the workman and has denied categorically that he was ever engaged by the Management.

In the circumstances when the workman has not come forward to support his claim and when the relationship claimed by the workman has been categorically denied by the Management, in their Written Statement duly supported by the Affidavit of their witness Sh. Rajinder Singh Sethi, D.E.P (Legal), it cannot be said that the workman was engaged by the Management from 01-02-1998 on a salary of Rs. 2138/- p.m and his services were terminated on 1st March, 1999 without following the provisions of law. Thus it cannot be said that the Management passed an illegal and unjustified order terminating the services of Basant Singh, the workman. For this reason the workman is not entitled to any relief. The reference, is therefore, answered in these terms. Let a copy of this award be sent to the appropriate Govt. for necessary action and file be consigned to records after due completion.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 31 अगस्त, 2006

का.आ. 3833.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-II, चंडीगढ़ के पंचाट (संदर्भ संख्या 642/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-8-2006 को प्राप्त हुआ था।

[सं. एल-40012/399/99-आई आर(डी यू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 31st August, 2006

S.O. 3833.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 642/2005) of the Central Government Industrial Tribunal-cum-Labour Court No.-II, Chandigarh as shown in the Annexure in the Industrial Dispute between the management of Department of Telecom and their workman, which was received by the Central Government on 31-8-2006.

[No. L-40012/399/99-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-
LABOUR, COURT-II CHANDIGARH

Presiding Officer : Shri Kuldip Singh

Case No. I. D. No.642/2k5

Registered on 15-2-2000

Date of Decision 5-6-2006.

Sanjay Kumar C/o Sh. N. K. Jeet, President, Telecom
 Labour Union, Mohalla Hari Nagar, Lal Singh Basti Road,
 Bhatinda (Punjab).

...Petitioner

Versus

Ministry of Communication, D/o Telecom, Sanchar
 Bhawan, New Delhi.

...Respondent

APPEARANCE

For the Workman : N. K. Jeet
 For the Management : Mr. G. C. Babbar,
 Advocate.

AWARD

The workman continues to be absent. Management appears through counsel.

On the last date of hearing Mr. N. K. Jeet who had been appearing for the workman all along stated that he has no instructions to appear in this case. From the perusal of the record it appeared that the workman filed the statement of claim through Sh. N. K. Jeet. He appeared all along through Sh. N. K. Jeet, who claimed himself to be duly authorized to file the Claim Statement and prosecute the case. He undertook to provide the address of the workman but did not provide the same and stopped appearing in the case. He did not appear in the case on the last date of hearing and is also not present today. On record there is no address of the workman other than "C/o Sh. N. K. Jeet", who, as stated earlier has stopped appearing in the case. The Court is at loss to serve the workman and to know his case. The workman himself has never appeared in the case. Thus it cannot be, said whether workman with the name Sanjay Kumar, was engaged by the Management and his services were terminated by them without following the provisions of law.

The Management, in their reply to the Claim of the workman, has submitted that the workman was neither engaged by them nor his services were terminated by them. Taking the assistance of the judgments passed by the Supreme Court and High Courts of the country, the Management has claimed that the workman was neither recruited nor his services were terminated by the Management. He might have worked as contract labourer and in that capacity he did not earn right to be regularized in services. The Management has shown complete ignorance about the status of the workman and has denied categorically that he was ever engaged by the Management.

In the circumstances when the workman has not come forward to support his claim and when the relationship claimed by the workman has been categorically denied by the Management, in their Written Statement duly supported by the Affidavit of their witness Sh. Rajinder Singh Sethi, D.E.P (Legal) it cannot be said that the workman was engaged by the Management from 05-03-1996 on a salary of Rs. 2138/- p.m and his services were terminated on 1st March, 1999 without following the provisions of law. Thus it cannot be said that the Management passed an illegal order and unjustified order terminating the services of Sanjay Kumar, the workman. For this reason the workman is not entitled to any relief. The reference, is therefore, answered in these terms. Let a copy of this award be sent to the appropriate government for necessary action and file be consigned to records after due completion.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 31 अगस्त, 2006

का.आ.3834.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-II, चंडीगढ़ के पंचाट (संदर्भ संख्या 626/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-8-2006 को प्राप्त हुआ था।

[सं. एल-40012/21/2000-आई आर(डी यू)]

सुरेन्द्र सिंह, डैस्क अधिकारी

New Delhi, the 31st August, 2006

S.O. 3834.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 626/2005) of the Central Government Industrial Tribunal-cum-Labour Court No.-II, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 31-8-2006.

[No. L-40012/21/2000-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE**CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-II, CHANDIGARH**

Presiding Officer : Shri Kuldip Singh

Case No. I. D. No. 626/2k5

Registered on 24-8-2005

Date of Decision 14-6-2006.

Smt. Rajnish Kumari C/o Sh. N. K. Jeet, 27349, Lal Singh Basti Road, Bhatinda (Punjab).

...Petitioner

Versus

D/o Telecom, Sanchar Bhawan, New Delhi-10001

...Respondent

APPEARANCE

For the Workman : N. K. Jeet
 For the Management : Mr. G. C. Babbar,
 Advocate.

AWARD

The workman continues to be absent. Management appears through Counsel.

It is on record that the workman has not appeared in this Court despite a number of notices. The last notice was given under registered Cover, postal receipt No. 2398 dated 21st March, 2006. The notice has not been received back even after the expiry of statutory period of 30 days. This shows that the workman received the notice, but she has chosen not to appear in the case.

It is also clear from the record that the workman did not file the Claim Petition in these four years. This is additional reason to presume that she has no interest in the case. There is nothing on record to show, what to talk of evidence, that the General Manager, Telecom, Ferozepur had recruited the workman as clerk and her services, were terminated by him on 30th June, 1999 & the said order of the General Manager was unjust and illegal. As such the reference is answered in the terms that there is no evidence to show that the action of the Management was unjust and illegal. In the circumstances, the workman is not entitled to any relief. Let a copy of this award be sent to appropriate govt. for necessary action and the file be consigned to records after due completion.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 31 अगस्त, 2006

का.आ. 3835.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-II, चंडीगढ़ के पंचाट (संदर्भ संख्या 639/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-8-2006 को प्राप्त हुआ था।

[सं. एल-40012/330/99-आई आर(डी यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 31st August, 2006

S.O. 3835.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 639/2005) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Chandigarh as shown in the Annexure in the Industrial Dispute between the employer in relation management of Department Telecom and their workman, which was received by the Central Government on 31-8-2006.

[No. L-40012/330/99-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II CHANDIGARH

Presiding Officer : Shri Kuldip Singh

Case No. I. D. No.639/2k5

Registered on 15-2-2000/24-8-2005

Date of Decision 05-6-2006.

Manjeet Singh C/o Sh. N.K Jeet, President, Telecom Labour Union, Mohalla Hari Nagar, Lal Singh Basti Road, Bhatinda(Punjab)

...Petitioner

Versus

Ministry of Communication, D/o Telecom, Sanchar Bhawan, New Delhi-110001

...Respondent

APPEARANCE

For the Workman	:	N. K Jeet
For the Management	:	Mr. G. C. Babbar. Advocate.

AWARD

The workman continues to be absent. Management appears through counsel.

On the last date of hearing Mr. N. K Jeet who had been appearing for the workman all along stated that he has no instructions to appear in this case. From the perusal of the record it appeared that the workman filed the statement of claim through Sh. N. K. Jeet. He appeared all along through Sh. N. K Jeet, who claimed himself to be duly authorized to file the Claim Statement and prosecute the case. He undertook to provide the address of the workman but did not provide the same and stopped appearing in the case. He did not appear in the case on the last date of hearing and is also not present today. On record there is no address of the workman other than "C/o Sh. N. K Jeet", who, as stated earlier has stopped appearing in the case. The Court is at loss to serve the workman and to know his case. The workman himself has never appeared in the case. Thus it cannot be said whether workman with the name Manjeet Singh, was engaged by the Management and his services were terminated by them without following the provisions of law.

The Management, in their reply to the Claim of the workman, has submitted that the workman was neither engaged by them nor his services were terminated by them. Taking the assistance of the judgments passed by the Supreme Court and High Courts of the country, the Management has claimed that the workman was neither recruited nor his services were terminated by the Management. He might have worked as contract labourer and in that capacity he did not earn right to be regularized in services. The Management has shown complete ignorance about the status of the workman and has denied categorically that he was ever engaged by the Management.

In the circumstances when the workman has not come forward to support his claim and when the relationship claimed by the workman has been categorically denied by the Management, in their Written Statement duly supported by the Affidavit of their witness Sh. Rajinder Singh Sethi, D.E.P (Legal), it cannot be said that the workman was engaged by the Management from 01-01-1996 on a salary of Rs. 2138/- p.m and his services were terminated on 15th Dec., 1997 without following the provisions of law. Thus it cannot be said that the Management passed an illegal and unjustified order terminating the services of Manjeet Singh, the workman. For this reason the workman is not entitled to any relief. The reference, is therefore, answered in these terms. Let a copy of this award be sent to the appropriate govt. for necessary action and file be consigned to records after due completion.

KULDIP SINGH, Presiding Officer

नई दिल्ली, 31 अगस्त, 2006

का.आ. 3836.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. ऐनिमल क्वारान्टाइन एण्ड सर्टिफिकेशन सर्विस के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 54/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-8-2006 को प्राप्त हुआ था।

[सं. एल-42012/64/96-आई आर(डी यू)]

सुरेन्द्र सिंह, डैस्क अधिकारी

New Delhi, the 31st August, 2006

S.O. 3836.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 54/2001) of the Central Government Industrial Tribunal-cum-Labour Court No. I, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Animal Quarantine and Certification Service and their workman, which was received by the Central Government on 31-8-2006.

[No. L-42012/64/96-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE SHRI SANT SINGH BAL PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.1 NEW DELHI

I. D. No. 54/2001

In the matter of dispute between:

Shri Dinesh Kumar, Driver,
Son of Shri Ram Pat,
R/o House No.366, Village Bawana,
Delhi-110039.

....Workman

Versus

M/s. Animal Quarantine and Certification
Service, Department Animal Husbandry and
Dairying, Ministry of Agriculture,
Gurgaon Road, Kapasera, New Delhi -37.

... Management

APPEARANCES: A/R for workman

AWARD

The Central Government in the Ministry of Labour vide its Order No.L-42012/64/96-I.R.(D. U.) dated 30-5-97 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of M/s. Animal Quarantine & Certification Service, Deptt. Of Animal Husbandry and Dairying, Ministry of

Agriculture, Kapasera, New Delhi in terminating services of Shri Dinesh Kumar, Driver w.e.f. 13-6-95 is legal and justified? If not, to what relief the workman is entitled to?”

2. Brief facts of this case as culled from record are that workman Shri Dinesh Kumar claims that he was initially appointed as a driver on daily wage basis *vide* appointment letter dated 18-2-94 for a period of 3 months and 21 days and his appointment was extended for a period w.e.f. 28-6-94 to 13-10-94 and he was further appointed w.e.f. 17-10-94 to 15-2-95, again w.e.f. 23-2-95 to 12-6-95 and during the interregnum i.e. interval between as above said appointment he has performed duty with effect from 25-2-94 to 27-6-94 and 28-6-94 to 13-10-94, again he was appointed from 27-10-94 to 15-2-95 and 23-2-95 to 12-6-94 and he further claims that during the period of his above said appointments he has also performed duty and he remained in the employment in service during the period from 12-6-94 to 16-10-94 and between other gaps and he has thus worked w.e.f. 25-2-94 till 12-6-95. His services were terminated from 13-6-95 illegally and without any reason. He claims that he continuously remained in the service of the respondent management w.e.f. 25-2-94 to 12-6-95. He has thus completed service of more than 240 days when the management has terminated his services. His termination is in violation of the provisions of Section 25 F of the I.D. Act and amounts to retrenchment and is in contravention of the provisions of Section 25 F of the I.D. Act. He has approached the various authorities for his reinstatement and even sent demand notice dated 7-6-95 for his reinstatement but of no use. Hence he claims reinstatement with full back wages.

3. Claim has been contested by the management by filing reply wherein it is stated that the workman has not been working in the office continuously w.e.f. 25-9-94 and his averment to that effect is false. He was appointed on daily wage-basis and his services were terminated on 17-6-94 and nothing was paid on separate vouchers for the period 18-6-94 to 27-6-94. It is further averred that he has not been paid on any separate voucher for the period from 13-10-94 to 16-10-94. It is further averred that he was paid wages on separate vouchers for the period from 13-10-94 to 16-10-94 with the instructions that suitable break will be given every month and his service was terminated on 15-2-95 and no payment was made on separate voucher for the period from 16-2-95 to 22-2-95. The workman is giving false statement that he has been paid on separate vouchers for the break service. He has not been paid for the period from 16-2-95 to 22-2-95. He has not worked continuously for 25-2-94 to 12-6-94 and he has not completed 240 days as claimed. The post was not permanent one and the Ambassador car for which he was employed was transferred to Department of Animal Husbandry and Dairying (Headquarter) at Krishi Bhawan.

4. Written statement was followed by rejoinder wherein controverted facts mentioned in the written statement were refuted reiterating the contents of the claim statement.

5. After filing rejoinder the case was adjourned to 2-9-2002, 16-10-2002, 24-12-2002, 25-3-2003, 28-5-2003 for filing documents by the management and admission denial of documents but none for the management appeared on any of the dates fixed and ultimately the case was fixed for filing workman affidavit on 3-9-2003 on which date also none appeared on behalf of the management and case was adjourned to 6-1-2004 for cross of workman. On 6-1-04 none for the management appeared despite sufficient opportunity so cross examination of the workman was closed by my learned predecessor Shri B. N. Pandey and case was adjourned to 16-3-04 for evidence of the management. None for the management appeared on the subsequent dates i.e. 16-3-2004, 19-5-2004 and 9-8-2004 when the management was proceeded *ex parte* vide order dated 9-8-2004 and case was adjourned to 19-8-2004 for arguments and *ex parte* arguments were finally heard on 6-9-2005 on behalf of the workman.

6. I have given my thoughtful consideration to the contentions raised,

7. The workman has placed and proved on record appointment letter Ex. WW 1/3 dt. 17-6-94, Ex. WW 1/5 dated 13-10-94, Ex. WW 1/7 dated 17-10-94, Ex. WW 1/8 dated 15-3-95, Ex. WW 1/9 dated 23-2-95 and Ex. WW 1/10 dated 18-2-95 for appointing him for the periods mentioned therein. He has also proved the extracts from the attendance register Ex. WW 1/14 to WW 1/27 which also goes to show that his attendance has been recorded for the said periods and he has also proved his averments made in affidavit Ex. WW 1 A and thus the above documents Ex. WW 1/1 to 10 and Ex. WW 1/14 to 27 coupled with the affidavit of the workman go to prove that he has worked for different periods as driver as mentioned in the appointment letters above and this indicates that he has worked for more than 240 days but each of the appointment letters go to show that he was appointed for a fixed period and his appointment according to the management has come to an end on the expiry of his period mentioned but the workman claims that he has worked continuously which is contrary to the letter dated 12-6-95 proved on record indicating that he has worked for the period 23-2-95 to 12-6-95 when his service came to an end. Thus the averment made in the written statement that his services were terminated is incorrect and it is, therefore, proved that the workman has worked for the periods mentioned in the appointment letters. He was not given any notice. Notice pay or compensation as per provisions contained in Section 25 F of the I.D. Act. His termination on 12-6-95 on the expiry of the fixed period *vide* letter dated 5-2-94, 18-2-94, 17-6-94, 22-6-94, 13-10-94, 12-10-94, 17-10-94, 15-2-95, 23-2-95, 18-2-95 and 12-6-95 is illegal and is in

violation of the provisions contained in Section 25 F of the I.D. Act and taking this view I am supported with the decision reported in 1996 LLR 488 of Punjab High Court, *Good Year India Limited Vs. Vijay Kumar & Anr.* wherein it was held that the workman was initially appointed as casual clerk from 3-4-85 on casual basis and his appointment was extended from time to time and finally from 3-11-85 to 28-12-85 when his services automatically terminated. His termination was held to be illegal as he has worked for more than 240 days. Thus the workman is therefore, entitled to be reinstated in service with 50% back wages. There is nothing on record to show that the workman was gainfully employed during the period of unemployment. The workman has averred in his affidavit that he is unemployed since the date of termination despite his best efforts which goes unrebutted on record. Hence he is entitled to the back wages and other consequential benefits and in my opinion it would sub serve interest of justice if he is given 50% back wages. In view of the above discussion I am of the opinion that the action of the management in not giving him reinstatement amounts to termination which is in violation of the provisions of the I.D. Act and the workman is also entitled to 50% of back wages. It is, therefore, I ordered that the workman be reinstated in service with 50% back wages. Reference is answered accordingly. File be consigned to record room.

Dated : 21-8-2006

S. S. BAL, Presiding Officer

नई दिल्ली, 31 अगस्त, 2006

का.आ. 3837.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सीनियर सुपरिन्टेन्डेंट ऑफ पोस्ट आफिस के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चेन्नई के पंचाट (संदर्भ संख्या 16/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-8-2006 को प्राप्त हुआ था।

[सं. एल-40012/92/2004-आई आर(डी यू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 31st August, 2006

S.O. 3837.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 16/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Senior Superintendent of Post Offices and their workman, which was received by the Central Government on 31-8-2006.

[No. L-40012/92/2004-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, CHENNAI**

Tuesday the 23rd May, 2006

Present: K. JAYARAMAN, Presiding Officer**Industrial Dispute No.16/2005**

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Department of Posts and their workmen)

BETWEEN

Sri S. Ramamurthy : I Party/Petitioner

AND

The Senior Superintendent of Post Offices,
Department of Posts, Tambaram
Division

APPEARANCES:

For the Workman : M/s. R.Malaichamy, Advocates

For the Management : Mrs. Kasthuri Ravichandran,
ACGSC.**AWARD**

The Central Government, Ministry of Labour *vide* Order No.L-40012/92/2004-IR(DU) dated 22-12-2004 has referred the dispute to this Tribunal for adjudication. The Schedule mentioned dispute is as follows :—

“Whether the action of the management of Senior Superintendent of Post Offices, Tambaram Division interminating the services of Sri S.Ramamurthy with effect from 28-5-2003 is justified? If not, to what relief he is entitled?”

2. After the receipt of the reference, it was taken on file as I. D. No.16/2005 and notices were issued to both the parties and both the parties entered appearance through their advocates and filed their Claim Statement and Counter Statement respectively.

3. The allegations of the Petitioner in the Claim Statement are briefly as follows :—

The Petitioner was working as a E.D. Agent now known as GDS under Respondent/Management for nearly twenty years with intermittent breaks and with good service records. But he was illegally terminated from service on 14-5-2003. Initially he entered into service of the Respondent as an outsider at Arni Sub Office in the year 1984. He was working in leave vacancies as an outsider and has completed 240 days of work prior to 11-2-1988. As

per the judgment of Central Administrative Tribunal in O.A. No. 811/88 the Petitioner is entitled for absorption as E.D. Agent in regular vacant post. The Chief Postmaster General also in his proceeding dated 23-12-93 clearly instructed that Appellate Authorities to appoint the E.D. substitutes in regular vacant posts only who have been engaged prior to 11-2-88 and completed 240 days of service in any two years either before 11-2-88 or after 11-2-88. The Respondent/Management wantonly omitted to include the name of the Petitioner in dovetailed list for appointment as E.D. Agent on regular basis, however, they have utilized the services of Petitioner from time to time. The Petitioner's representation to the Respondent to absorb him in regular vacancy has been denied, but only substitute arrangement was offered to the Petitioner. Subsequently on 24-12-1992 the then Sub Divisional Inspector (Postal) Ambattur Sub Division has requested the Assistant Superintendent of Post Offices, Ambathur to appoint the Petitioner against the clear vacant post of EDBPM at Panayancheri branch office w.e.f. 21-2-2003. The Petitioner joined the said post and was working there but the Respondent/Management terminated the Petitioner from service and appointed an unqualified person who entered the department after the year 1990. The Petitioner has filed a O.A.No. 422/2003 and subsequently, he has withdrawn the same with a liberty to approach this Tribunal and hence it was allowed by the Central Administrative Tribunal. Therefore, the action of the Respondent in refusing the employment to the Petitioner in violation of Chief Postmaster General circular dated 23-12-93 and the decision of full Bench of Central Administrative Tribunal, Chennai dated 17-4-2000 is illegal, unjustified and opposed to principles of natural justice and also in violation of Section 25F of the I.D. Act. Hence, the Petitioner prays to pass an award directing the Respondent/Management to reinstate the Petitioner into service as GDS with all other attendant benefits.

4. As against this, the Respondent in its Counter Statement contended that it is not true to contend that the Petitioner has worked as E.D. Agent under Respondent/Management for twenty years with intermittent break and the Petitioner was illegally years with intermittent break. The Petitioner was never selected by due process of selection as per the recruitment rules applicable to E.D. Agents (now known as Gramin Dak Sevaks) and no appointment order was issued to him by any of the authorities. Therefore, there is no relationship of employer-employee between the Respondent and the Petitioner. His engagement was purely a stop gap arrangement in leave vacancies and no question of regular appointment will arise according to Rule 5 of P & T ED. Agents (Conduct & Service) Rules, now replaced by Rule 7 of Gramin Dak Sevaks (Conduct & Employment) Rules, 2001. The Petitioner was engaged only as a substitute and therefore, no right accrues to a substitute. It is well established by the Supreme Court and High Courts that regularization cannot be made a mode of recruitment as the same would

be violative of Article 309 of Constitution and the mere prolonged and extended engagement on provisional basis does not result in any claim for substantive status. It is not true to say that Petitioner was illegally terminated from service on 14-5-2003. By an order dated 14-2-2003 the Assistant Superintendent of Post Offices, Ambattur Sub-Division permitted the Petitioner to work in the post of EDBPM, Panayancheri BO. Even in that order it is clearly stated that arrangement was purely stop gap and temporary which will be terminated at any time without any prior notice before completion of 90 days. The Petitioner accepted the above conditions and joined the post. As stipulated in the order, his temporary engagement as EDBPM, Panayancheri BO was terminated by the Assistant Superintendent of Post Offices, Ambattur Sub-Division by his order dated 19-5-2003. Further, Assistant Superintendent of Post Offices, Ambattur Sub-Division is not the competent authority to make appointment to the posts of EDBPM. Even if stop gap arrangement is made due to exigencies of service, such arrangement should be ratified by the 1st Respondent who is the appointing authority for the post of BPMs. Therefore, the order of Assistant Superintendent of Post Offices, Ambattur Sub-Division will not confer any right on the Petitioner to claim continuity of service. It is not true to say that the Petitioner who entered into service as outsider and he has completed 240 days of continuous service in two years prior to 11-2-88. The Postmaster, Ambattur HPO who is the DDO in this case has certified that the Petitioner was engaged in the leave vacancies of regular E.D. agents and he has not completed 240 days as alleged by him. In so far as the E.D. outsiders are concerned, this scheme introduced by the Postmaster General is a one time measure. Since the Petitioner had not completed 240 days of continuous service before or after 11-2-88, he is not entitled for absorption as E.D. agent against regular vacant post. Therefore, he is not eligible for inclusion in the dovetailed list as per orders. It is false to allege that his name was omitted to be included in the dovetailed list for appointment as E.D. Agent on regular basis. Though the Petitioner was appointed as substitute prior to 11-2-88, since he has not completed 240 days in a continuous period of two years for the purpose of inclusion in dovetailed list. Since the Petitioner has not fulfilled the conditions laid down in the Chief Postmaster General's letter dated 23-12-1993 there is nothing illegal or against the principles of natural justice. Further, appointment to any post under the Govt. has to be made as per prescribed recruitment rules and not on the basis of wishes of the Petitioner. Hence for all these reasons, the Respondent prays that the claim may be dismissed with costs.

5. In these circumstances, the points for my determination are —

- “(i) Whether the action of the Respondent/ Management in terminating the services of the Petitioner w.e.f. 28-5-2003 is justified?
- (ii) To what relief the Petitioner is entitled?”

Point No. 1:

6. In this case, the allegation of the Petitioner is that he was working as E.D. Agent, now known as GDS under the Respondent/ Management for twenty years. While so, he was illegally terminated from his service from 14-5-2003 and it is his further contention that he has initially entered into postal department as an outsider at Arani sub-office in the year 1984 and initially he was appointed as an outsider in leave vacancy from time to time and he has completed 240 days prior to 11-2-88 as per Chief Postmaster General's proceedings dated 23-12-1993 and since he has completed 240 days prior to 11-2-88 he should be inducted in regular vacant post. But, against the provisions, he has been terminated from service. Therefore, he has raised this dispute.

7. But, as against this, the Respondent contended that the Petitioner was never selected by due process of selection as per Recruitment Rules applicable to E.D. Agents, now known as Gramin Dak Sevaks and his appointment was purely stop gap arrangement in the leave vacancy and therefore, he cannot ask for any regular appointment. Further, he has not completed 240 days of services for two years prior to after 11-2-88 and therefore, he cannot claim the benefits under the Chief Postmaster General's letter dated 23-12-1993 and therefore, the Respondent prays for dismissal of the claim of the Petitioner.

8. To substantiate his claim, the Petitioner examined himself as WW1 and produced documents Ex.W1 to W8. Ex.W1 and W2 are the copies of order of SDI (Postal), Ambattur Sub-Division, Ambattur dated 24-12-92. Ex.W3 is the copy of circular issued by Chief Postmaster General dated 23-12-93. Ex.W4 is the copy of the circular issued by Chief Postmaster General dated 5-7-95. Ex.W5 is the copy of order of appointment dated 14-2-2003 and Ex.W6 is the copy of termination order passed by Assistant Superintendent of Post Offices, Ambattur Sub-Division. Ex.W7 is the details of service particulars furnished by the Respondent. Ex.W8 is the details of service particulars furnished by Respondent. As against this, on the side of the Respondent one Mr. G. Vijayan who is working as Assistant Superintendent of Post Offices, Aavadi Camp who was holding additional charge of Ambattur Sub-Division was examined as MW 1 and on their side no document was filed.

9. The Petitioner examined himself as WW 1 and in his evidence, the Petitioner alleged that he joined the Respondent establishment as E.D. substitute in the year 1984 in Arani post office and he has worked up to 2003 with intermittent disengagement. While so, in the month of July, 2003, the Assistant Superintendent of Post Offices has terminated his service and in his place one Mr. Sakthivel was posted as E.D. substitute in Arani post office. He further alleged that he has completed 240 days of service in a

continuous period of two years before or after 11-2-88. Learned counsel for the Petitioner contended that as per service rule for GDS, the Sub-Divisional Inspector, Assistant Superintendent of Post Offices are the appointing authorities to the post other than GDS BPM and GDS SPM and he further contended that in exceptional cases Inspector of Post Offices/Assistant Superintendent of Post Offices could very well make appointment to the post of EDBPM in anticipation of the formal approval of Superintendent of Post Offices. In this case, since the Petitioner has worked for more than 240 days prior to 11-2-88, Sub-Divisional Inspector (Postal) Ambattur Sub-Division has issued an order in his proceedings dated 24-12-92 to his subordinate officer, the Sub-Postmaster, Arani instructing him to engage the Petitioner as GDS which is marked by the Petitioner as Ex.W1. In view of the said order, he has made several representations to appoint him against regular post. But the Chief Postmaster General issued a letter dated 5-7-95 instructing the appointing authority not to appoint candidates in accordance with the instruction issued in his letter dated 23-12-93. But, it was subsequently set aside by the Full Bench of Central Administrative Tribunal, Chennai in O.A.No. 386/98 dated 7-12-2000 and therefore, the Petitioner has made a representation to consider his case and thereby the Assistant Superintendent of Post Offices had in anticipation of the formal approval of Superintendent of Post Offices, Tambaram Division appointed the Petitioner to work as EDBPM at Panayancheri Post Office by an order dated 14-2-2003, which is marked as Ex.W5. But, strangely the very same officer has terminated the services of Petitioner on 19-5-2003, copy of which is marked as Ex.W6. To substantiate his claim that he has completed 240 days prior to 11-2-88, the Petitioner has, filed document dated 24-12-92, copy of which is marked as Ex.W1 issued by competent authority to his subordinate officer. This is not a certificate but it is an order issued by competent authority and the said order has not been cancelled till date. The Petitioner has filed details of service particulars, which is marked as Ex.W7. Even though the Respondent/Management has given details of service particulars which is marked as Ex.W8, they have not produced any document to show that the statement given under Ex.W8 are true. In Ex.W8 they have stated that the Petitioner has worked about 191 days only from 8-2-85 to 4-8-95. But, neither the Respondent nor MW1 has stated how they have arrived at the figure without producing any document to substantiate their claim. Therefore, Ex.W8 is only prepared for the purpose of this case with an ulterior motive to deny the genuine claim of the Petitioner and therefore, this Tribunal need not rely on the statement given under Ex.W8. Since the competent authority has given order to the subordinate officer in which it is stated that the Petitioner has completed 240 days, it should be presumed that the fact given under Ex.W1 is true and therefore, the Petitioner is entitled to claim the benefits of reinstatement as raised in the industrial dispute.

10. As against this, the learned counsel for the Respondent contended that the letter dated 24-12-1992 under Ex.W1 was issued by the then Sub-Divisional Inspector, Ambattur Sub-Division cannot be considered as a valid one as the Assistant Superintendent of Post Offices, Ambattur Sub-Division is not the competent authority to issue such a letter. Further, the Petitioner himself has admitted that Assistant Superintendent of Post Offices, Ambattur Sub-Division is not competent authority to make appointment to the post of EDBPM. Even if a stop gap arrangement is made due to exigency of service, such arrangement should be ratified by the Superintendent of Post Offices, who is the appointing authority for the posts of BPM. Even though it is alleged that on 14-2-2003 Assistant Superintendent of Post Offices, Ambattur Sub-Division has appointed him in leave vacancy, the arrangement was not regularised by Superintendent of Post Offices and therefore, the said order passed under Ex.W5 by the Assistant Superintendent of Post Offices, Ambattur Sub-Division will not confer any right on the Petitioner to claim continuity in service. The Petitioner was never selected by due process of law as per recruitment rules applicable to E.D. Agents (GDS) and no appointment order was issued to him by a competent authority. Since the Petitioner was not appointed, there is no relationship of employer-employee between the Respondent and the Petitioner. His appointment was temporary stop gap arrangement in leave vacancy and therefore, no question of regular appointment will arise. According to Rule 5 of P & T ED Agents (Conduct and Service) Rules, 1964, which is now replaced by Rule 7 of Gramin Dak Sevak (Conduct and Employment) Rule, 2001 if a regular incumbent goes on leave, he has to arrange only a substitute to carry out the work and this has to be approved by the competent authority to sanction leave. Thus the Petitioner was engaged purely on stop gap arrangement and only as a substitute and therefore, no right accrues to a substitute. Though the Petitioner alleged that he has completed 240 days of service in a period of two years prior to 11-2-88, it is not established before any forum or before this Tribunal with any satisfactory evidence. The Petitioner cannot rely on the letter given by the Assistant Superintendent of Post Offices to his subordinate officer, who has no authority to issue such a letter under the Respondent/Management. In Ex.W8, which was given to the Petitioner by the authorities, it is stated that the Petitioner, has worked in leave vacancy of Mr. Duraibabu, Mr.C.Dhanasekaran, Mr.V.Chenciay and Sri P.C.Narayanan, but he has not completed 240 days of continuous service either prior to 11-2-88 or subsequent to 11-2-88. No doubt, the Chief Postmaster General has issued a circular dated 23-12-93 for regularising the substitute Eds, but since the Petitioner has not completed 240 days in any two years prior to 11-2-88 or after 11-2-88, he is not eligible for inclusion in dovetailed list or for regularisation. Even though the Petitioner relied on the letter dated 24-12-92 issued by

Sub-Divisional Inspector, since he has no authority to issue such a letter, it cannot be considered as a valid one. Even though the Petitioner alleged that he was appointed as EDBPM, Panayancheri BO, he was not actually appointed as alleged by him, but he was only permitted to work in the post of BPM, Panayancheri. Even in the letter dated 14-2-2003, the Assistant Superintendent of Post Offices, Ambattur Sub Division has clearly stated that the arrangement is purely stop-gap and temporary arrangement which will be terminated at any time without any prior notice. Since the Petitioner has accepted this letter, it means he had accepted the condition that the arrangement is purely stop-gap and temporary one. The allegation that the Petitioner was terminated from service all of a sudden is not a true one. There is no employer-employee relationship and his engagement was purely a stop gap arrangement and he was engaged only on temporary basis and therefore, he cannot claim any right of appointment by back door entry. It is well settled in number of decisions of High Courts and Supreme Court that since the persons were not appointed to the posts in accordance with rules, but they were engaged on the basis of need of work; they are temporary employees working on temporary basis and in such circumstances, their disengagement from services cannot be construed as retrenchment under I.D. Act. Further, the concept of retrenchment cannot be stretched to such an extent as to cover these employees. No doubt, the Petitioner alleged that his termination from service is arbitrary, since he was appointed on temporary basis, who has no right to the post, his disengagement is not arbitrary. Further, learned counsel for the Respondent contended that since the Petitioner is an employee, who claimed that he has worked for more than 240 days preceding his termination, which was denied by the Respondent/Management, it is for the Petitioner to lead evidence to that effect. Merely by filing of service particulars prepared by him is not sufficient evidence for that purpose and this was settled in the rulings reported in 2002 3 SCC 25 by the Division Bench of Supreme Court in the case of S.T. HADIMONI. Since the Petitioner in this case has not established the fact that he has completed 240 days of continuous service prior to 11-2-88 with any satisfactory evidence, it cannot be said that he is entitled to the benefits under the circular issued by Chief Postmaster General dated 23-12-1993. Since his termination is not retrenchment, he is not entitled to claim any benefits under I.D. Act.

11. I find much force in the contention of the learned counsel for the Respondent because in this case, though the Petitioner alleged that he has completed 240 days prior to 11-2-88, it was not established with any satisfactory evidence. Further, though he has alleged that Sub Divisional Inspector has stated that he has completed 240 days prior to 11-2-88, this Tribunal cannot infer anything from the said letter because there was no service particulars given in the letter dated 24-12-92. Further, when it is alleged that he is not the competent authority to give such a letter,

it is the duty of the Petitioner to establish that he is the competent authority to issue such a letter. Under such circumstances, I am not inclined to accept the contention of the learned counsel for the Petitioner that the termination is illegal. Since the Petitioner was appointed temporarily as stop-gap arrangement and since he was not appointed under any recruitment rules, he cannot claim regularisation for his long period of employment as a provisional appointee. Further, since he is not entitled to reinstatement, I find this point against the Petitioner.

Point No. 2:—

The next point to be decided in this case is to what relief the Petitioner is entitled?

12. In view of my foregoing findings that the action of the Respondent/Management in terminating the services of the Petitioner is justified, I find the Petitioner is not entitled to any relief. No Costs.

13. Thus, the reference is answered accordingly.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 23rd May, 2006.)

K. JAYARAMAN, Presiding Officer

Witnesses Examined:—

For the I Party/Petitioner : WWI Sri S. Ramamurthy
For the II Party/Management : MWI Sri G. Vijayan

Documents Marked:—

For the I Party/Petitioner:—

Ex. No.	Date	Description
W1	24-12-92	Xerox copy of the order of SDI (postal) Ambattur
W2	24-12-92	Typed copy of Ex. W1
W3	23-12-93	Xerox copy of the circular issued by Chief Postmaster General
W4	05-07-95	Xerox copy of the circular issued by Chief Postmaster General
W5	14-02-03	Xerox copy of the appointment order issued to Petitioner
W6	19-05-03	Xerox copy of the termination order issued to Petitioner
W7	Nil	Details of service particulars furnished by Petitioner
W8	Nil	Details of service particulars furnished by Respondent

For the II Party/Management:— Nil

नई दिल्ली, 31 अगस्त, 2006

का.आ. 3838.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ऑल इंडिया रेडियो के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-II, नई दिल्ली के पंचाट (संदर्भ संख्या 183/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-8-2006 को प्राप्त हुआ था।

[सं. एल-42012/77/95-आई आर (डी यू)]

सुरेन्द्र सिंह, डैस्क अधिकारी

New Delhi, the 31st August, 2006

S.O. 3838.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 183/98) of the Central Government Industrial Tribunal-cum-Labour Court No. II New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of All India Radio and their workman, which was received by the Central Government on 31-8-2006.

[No.L-42012/77/95-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM- LABOUR COURT-II, NEW DELHI

Presiding Officer : R. N. RAI.

I.D. No.183/1998

In the matter of :—

Smt. Sunita,
L/R of Deceased Shri Azad Singh,
S/o. Shri Mani Chand,
C/o. Delhi Labour Union,
Aggarwal Bhawan, G.T. Road,
Tis Hazari, Delhi -110001.

Versus

The Chief Director, M/s. All India Radio,
Akashwani Bhawan, Sansad Marg,
New Delhi-110001.

AWARD

The Ministry of Labour by its letter No. L-42012/77/95-IR(DU) Central Government Dt. 18-08-1998 has referred the following point for adjudication.

The point runs as hereunder:—

“Whether the action of the management of All India Radio in terminating the services of Shri Azad Singh is legal & justified? If not what relief the workman is entitled to.”

The workman applicant has filed claim statement. In the claim statement it has been stated that Azad Singh after being selected by the Employment Exchange joined into the employment of the All India Radio w.e.f. 17-04-1989 as a Beldar/Sweeper. He was posted in the office of the Installation Officer, 2 × 100 KW MW Transmitters, Nangli, Delhi. He was being treated as daily rated/casual/muster roll worker and was being paid wages much less than those fixed and revised from time to time under the minimum wages act by the appropriate government. He was being paid only Rs.750 per month. While his counter parts doing the identical work and the work of the same value but being treated as regular employees were being paid their salaries in the proper pay scale of 750-940 with usual allowances admissible under the rules. They were also enjoying other benefits like uniform, EL, CL, medical leave etc. which were completely denied to the workman aforesaid. He has unblemished and uninterrupted record of service to his credit. That the services of the aforesaid workman have been terminated w.e.f. 28-12-1990 without assigning any valid reason thereof.

That the action of the management in terminating the services of the aforesaid workman is wholly illegal, bad, unjust and mala fide for the following amongst other reasons.

That the job against which the workman aforesaid was working is of a regular and permanent nature of job.

That employing persons on regular nature of jobs and treating them as daily rated/casual/muster roll workers for indefinite period and paying them lesser remuneration than those doing the identical work and the work of the same valued amounts to unfair labour practice as provided in section 2(ra) read with item no. 10 of the Vth schedule and read with section 25 T punishable under section 25 U of the ID Act, 1947.

That it is violative of Article 14, 16 and 39(d) of the Constitution of India. That it amounts to sheer exploitation of labour.

That the management of the All India Radio has not framed any rules or regularisations nor got it passed by the UPSC and nor notified in the Official Gazette for governing the service conditions of the daily rated/casual/muster roll/part time/seasonal workers nor it has any Certified Standing Orders, governing service conditions of such workers and therefore, the Model Standing Orders framed under the Industrial Employment (Standing Orders) Act, 1946 are applicable to the workman and the management of the A.I.R.

That the workman aforesaid has acquired the status of a permanent employee from the initial date of his joining into the employment i.e. 17-04-1989 after completing 90 days of continuous employment as provided in the Model Standing Orders framed under the Industrial Employment (Standing Orders) Act, 1946. Even otherwise, the workman

has acquired the status a permanent employee from the initial date of his joining into the employment after completing 240 days of continuous employment and is deemed to have been taken into the employment on regular basis as has been held by the Hon'ble High Court of Delhi in case of Harish Kumar Vs. Registrar, Delhi High Court.

That the workman aforesaid has not committed any misconduct whatsoever. However, in case of any alleged misconduct, no memo or charge-sheet was served and no domestic inquiry was conducted against him. He was not afforded any opportunity of being heard and his services have been terminated arbitrarily and illegally.

That the workman aforesaid has been meted out with hostile discrimination as juniors to him have been retained in service and he has been thrown out of job.

That in case of retrenchment, no seniority list was displayed, no notice was given, no notice pay was offered and no service compensation was either offered or paid to the workman at the time of termination of services.

That the principle of natural justice have been completely violated.

That even otherwise the impugned termination of services is violation of section 30 of the Delhi Shops and Establishment Act, 1954.

That the impugned termination of service is also violative of Section 25 F, G & H of the I.D. Act, 1947 read with Rule 76, 77 and 78 of the Industrial Disputes (Central) Rules, 1957.

That the workman aforesaid is unemployed since 28-12-1990 except for the period from 3-5-1991 to 8-6-1991 and 20-9-1994 to 3-11-1994 during which period he was given temporary employment at AIR Nangli and Khanpur respectively.

That a demand notice was served upon the Chief Director of the All India Radio by Registered AD post vide communication dated 19-1-1995 duly received in his office but no reply has been received and it is presumed that the demand has been rejected.

The respondent/management has filed reply. It has been stated in reply that the services of the workman was never terminated by the respondent. That the workman was engaged as casual labour by the Installation Officer, 2 x 100 KW Terminal Tangly, Delhi and Khanpur for execution of installation work on muster roll of daily wage basis for 109 days in 1989 and 130 days in 1990 and 18 days in 1991 and 38 days in 1994. That the services of the workman was not terminated by the respondent/management but he himself stopped reporting for duties without any intimation to the management.

That he worked on installation work which cannot be called a work of permanent work. It was only a Project

and the work came to an end after completion of work. There was not a permanent work.

That the management has not indulged in unfair labour practice and there has not been violation of Article 14, 16 and 39(d) of the Constitution of India. The workman has not completed 240 days.

The workman has filed rejoinder. In his rejoinder he has reiterated the averments of his claim statement. The management has also repudiated the most of the paras of the written statement.

Evidence of both the parties has been taken.

Heard argument and perused the papers on the record.

It was submitted from the side of the workman that he has worked for 240 days and the management has issued a certificate dated 27-12-1990 that he has worked for the period from 17-4-1989 to 27-12-1990 with usual break on muster roll basis at the installation of Nangli, Delhi.

It was submitted from the side of the workman that the certificate shows that he has worked for more than 240 days in the year 1989 and 1990.

The workman has filed only this certificate B-17. No other documentary evidence has been filed by the workman.

It was further submitted from the side of the workman that the management witness has admitted that the workman has worked continuously from 15-5-1989 to 30-11-1990 in different spells.

It was submitted from the side of the management that it is admitted in the written statement that he has worked in different spells. In the certificate also the words different spells have been mentioned.

The management witness has also admitted that he has worked in different spells. The workman has not filed any document to show that he has worked continuously during the above period.

It was further submitted that he admittedly worked on installation and installation is a Project. It is a work of temporary nature. Engagement is made for completion of the installation and when the installation is completed workers are not required. It is the duty of the workman to prove by cogent documentary evidence that he has worked for 240 days in the year preceding his retrenchment. The workman has filed only a certificate mentioned above and in that certificate it has been stated that he worked at different spells. So there is no certificate for continuous working of 240 days. The management has stated those different spells in the written statement. There is no document on record to disprove the contention of the management in the written statement.

It was further submitted that the workman has worked in the year 1991 and 1994 for short spells of 18 days in 1991

and 31 days in the year 1994. It is also the case of the management that the workman has himself abandoned his work. He did not report for duty. This contention of the management is substantiated by the fact that the workman has filed this case in the year 1998 whereas he was removed from services in the year 1990. He has filed this case after 8 years. This fact cogently proves that the workman worked even in 1991 and 1994 as has been stated by the management in the written statement. This gives support to the contention of the management that the workman has himself abandoned his work.

The workman has filed no documents to substantiate his claim that he has worked for 240 days. In the certificate filed by him it has been written that he worked in different spells so the workman has failed to prove that he has worked continuously for 240 days in the year 1989 or in the year 1990. The L/R of the deceased is not entitled to get any relief as prayed.

It is settled law that the burden is always on the workman to prove by cogent documentary evidence that he has worked for more than 240 days. Mere affidavit is not sufficient. The workman has not filed any documents to prove that he has worked for 240 days.

The reference is replied thus :—

The action of the management of All India Radio in terminating the services of Shri Azad Singh is legal and justified. The L/R Smt. Sunita of the deceased Shri Azad Singh is not entitled to get any relief as prayed for.

Award is given accordingly.

Date : 25-8-2006. R. N. RAI, Presiding Officer
नई दिल्ली, 31 अगस्त, 2006

का.आ. 3839.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इण्डियन हैबीटेन्ट सेन्टर के प्रबन्त के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-II, नई दिल्ली के पंचाट (संदर्भ संख्या 12/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 31-8-2006 को प्राप्त हुआ था।

[सं. एल-42012/171/99-आई आर(डीयू)]
सुरेन्द्र सिंह, डैस्क अधिकारी

New Delhi, the 31st August, 2006

S.O. 3839.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 12/2000) of the Central Government Industrial Tribunal-cum-Labour Court No. II New Delhi as shown in the Annexure in the Industrial Dispute between the management of Indian Habitant Centre and their workman, which was received by the Central Government on 31-8-2006.

[No. L-42012/171/99-IR (DU)]
SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER : CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM- LABOUR COURT-II, NEW DELHI

Presiding Officer : R. N. Rai.

I.D. No.12/2000

In the matter of :—

Shri P. Dharma,
Bhartiya General Mazdoor Congress,
Plot No. 1, Aram Bagh, (Near Udasin Mandir)
Pahar Ganj, New Delhi.

Vs.

Consultancy Development Centre,
Indian Habitant Centre, Zone IV,
East Court, 2nd Floor, Lodhi Road,
New Delhi-110003.

M/s. T. S. Murali & Co,
Contractor House Keeping,
C/o Indian Habitant Centre, Zone IV,
East Court 2nd Floor, Lodhi Road,
New Delhi-110003.

AWARD

The Ministry of Labour by its letter No. L-42012/171/99/IR (DU) Central Government dt. 27-1-2000 has referred the following point for adjudication.

The point runs as hereunder :—

“Whether the demand of Sh. P. Dharma, workman engaged through M/s. T. S. Murali Contractor in the establishment of Consultancy Development Centre on the contract work of House Keeping Job for the period from 4-6-94 to 31-3-98 for his employment and regularisation in service with Consultancy Development Centre being Principal Employer is valid, legal and justified? If yes, to what benefit and relief he is entitled?”

The workman applicant has filed claim statement. In the claim statement it has been stated that the Central Government after considering the substance of dispute in the present case opined that an Industrial Dispute exists between the above referred employer and their workman, the above said and in exercise of its power conferred under Section 10(1)(d) of Industrial Disputes Act, 1947, fixed the following terms of reference, while referring the same for adjudication. The schedule is being reproduced as under :

“Whether the demand of Sh. P. Dharma, workman engaged through M/s. T. S. Murali Contractor in the establishment of Consultancy Development Centre on the contract work of House Keeping Job for the period from 4-6-94 to 31-3-98 for his employment and regularisation in service with Consultancy Development Centre being Principal Employer is valid, legal and justified? If yes, to what benefit and relief he is entitled?”

That initially the workman being aggrieved by the callous actions of the Management of Principal employer, has demanded for statutory benefits and absorption with consequential benefits. The workman joined the establishment on 18th May, 1995 and since then had continuously worked till 31-3-98, on which date, he was denied entry to the establishment, while no reason for such refusal of job was assigned to him. The workman bonafidely believed that he was illegally, unlawfully and unjustifiedly terminated from services, as the workman during those days started demanding his absorption alongwith other benefits in wages etc. It is stated that after terminating the workman alongwith another workman, Sh. Chainanan, the Management preferred to regularise the service of one Sh. Ram Sanahi, who was though similarly placed like the workman, was one year junior to the present workman.

The workman after meted out with discrimination and injustice, the union in the present case, also made a demand letter. In the demand letter dated 24-8-98 reinstatement in employment was prayed for with entire consequential benefits. However, the management who duly received the same did not respond to it.

That subsequent to that the workman through its union, in order to raise an industrial dispute, made an application under Section 10 of the Industrial Disputes Act, It is permitted to submit here that during the course of conciliation, the management appeared with on M/s T.S. Murali & Col. Contractors, and for the first time it was disclosed that the workman was in fact engaged by the said contractor. As no fruitful result transpired from the discussion, the concerned Asstt. Labour Commissioner sent the dispute to the Ministry of Labour for appropriate actions. It is pertinent to mention here that the Asstt. Labour Commissioner forwarded a detailed report about the same and referred about notification dated 9-12-1976, which prohibited engagement of contract labour for in the job of sweeping, cleaning and dusting in the establishment in regard to which appropriate government is Central Government. Thus the Asstt. Labour Commissioner in its report opined that employer otherwise also could not have retained services of a contractor in view of the said notifications. It is pertinent to mention here that the contractor was not even licenced. It is stated that volumes of service record bills correspondence *further prima-facie* prove that the contractor if any was under an act for having been retained for the name sake and he was not having any sort of control over the working. There was direct control and supervision of the Principal employer.

That the workman has been working on the said post diligently and to the best of his ability and to the satisfaction of his superior officer.

That the workman has been working honestly and sincerely. The Management has not allowed the workman to enter into the premises of the said establishment on

31-3-98 without assigning any reason and said that the workman's service were terminated and he is no more required for the said organisation/establishment and the Management illegally and unlawfully terminated the service of the workman, which is illegal, uncalled for and arbitrary and the same is also against the principle of natural justice.

That the workman has been working regularly without any interruption or break in service but the Management showing the workman in their record on temporary basis and the workman has requested the Management now and then to show the workman in his record as regular and permanent employee and to prove the benefits and wages of permanent employee to the workman.

That despite the fact that the workman has completed 240 days each year of working, he was not absorbed into the department of establishment for which he is legally entitled to.

Moreover, he was being denied his rightful claim, he was not being given the facilities, which is being given to the other employee on regular basis. The constitutional rights of above said workman is being seriously infringed.

That the Management has not followed the law of last come first go. That the workman has sent a notice/demand notice to the Management but the Management least bothered to reply the said notice. The copy of the notice is attached herewith for kind persual of this Hon'ble Authority.

In the premises, above said, it is most humbly prayed that this Hon'ble Tribunal Labour Court would be pleased to pass an award directing the Principal Employer to reinstate the workman either directly, or through the present contractor, who so ever and to grant all consequential benefits from the date of termination.

Any other order/orders, direction/directions as deemed fit and proper in the facts and circumstances of the case, may also be awarded in favour of workman and against the Management.

The Management has filed written statement in the written statement it has been stated that at the very outset, it is stated that the averments made in the paras in the statement of claim made on behalf of the Workman abovenamed, and which is under reply, are wrong, incorrect and misleading and are, therefore, wholly denied except to the extent that have been sepcifically admitted hereinafter.

The Opposite Party, M/s. Consultancy Development Centre (CDC) is an autonomous body set up for development and promotion of consultancy capabilities in the country. Functions of the CDC are mainly promotional and is dependent on special engineering and management scheme and expertise of members of the CDC. Mopping of furniture and cupboards by the persons provided by the

contractor has nothing to do with the main activities at CDC. Thus, no reference could be made under Section 10 (1) (d) of the ID Act, in the present case and the claimant's claim is liable to be rejected.

At the inception, it is submitted that the Workman, Shri P. Dharma was an employee of M/s. T.S. Murali & Company, A contractor having its office at Pocket-A, Dilshad Garded, New Delhi - 110095. (CDC), Opposite Party herein, entered into an Agreement with TSM in the year 19..... for providing house-keeping services. Accordingly, two persons, viz., Mr. P. Dharma and Chinanan were deputed by the said TSM for house-keeping services. A true copy of the Agreement dated..... entered into between CDC and TSM is marked and annexed hereto as Annexure-I. In fact, the relationship between the Workman, P. Dharma and M/s. TSM is governed by the Contract Labour (Regulation and Abolition) Act, 1970 and as such there was absolutely no relationship of employer and employee between CDC and P. Dharma.

Therefore, since the workman who has raised the present dispute was never employed by CDC, the reference sought to be made under Section 10 of the Industrial Dispute Act, is not tenable.

It is further submitted that no demand whatsoever was made by the Claimant-Workman to the CDC in respect of the claim now being filed. Therefore, on this sole and short ground, the claim is liable to be rejected.

The contents of para 1 are denied for want of knowledge. It is further stated that it is TSM who is aware of the entire facts of the case because the claimant herein is in fact the employee of TSM. It is admitted that the TSM pursuant to the Agreement had deputed the Claimant in the CDC but terms of his employment were entirely regulated by the TSM. It is further submitted that the contract of M/s. TSM with the CDC was for to be valid for a period of one year and was extended from time to time on yearly basis and ultimately on 31st March 1998 the contract with the TSM was terminated. In view of this, the moment contract with TSM was terminated, the employment of claimant automatically came to be ceased.

The contents of paras 2 to 5 are vehemently denied. In fact, the Claimant is not at all entitled to get any benefit from the CDC. It is submitted that under Section 10 of the Contract Labour (Regulation and Abolition) Act, there is no prohibition from employing any person through the contractor. The termination of the contract with TSM was in accordance with the Law and they had no grievances. It is further submitted that TSM had already submitted before the Conciliation Officer that the TSM is willing to absorb the Claimant.

It is further submitted that the Claimant herein is illegally and solely with the *mala fide* intention raised this

dispute to be absorbed in the CDC. In this regard, it is submitted that it is a settled law that if a person has been employed through a contractor, his employment get snapped off the moment the contract expires.

It is submitted that even TSM is not interested to keep the workman-claimant unemployed. Rather it is the claimant who has abandoned their employment in order to raise an industrial dispute with ulterior and *mala fide* motive. TSM is still willing to absorb him as an employee.

In the foregoing averments and submissions made hereinabove, the claim of the Workman is liable to be rejected outrightly.

Evidence of both the parties has been taken.

Heard arguments from both the sides and perused the papers on the record.

On perusal of the pleadings of the parties the following points for determination arise :

1. Whether the respondent is not an Industry?
2. Whether there was relation of master and servant between the respondent/management and the workman?
3. Whether the workmen deserves reinstatement or regularization?

Point No. 1 :

It was submitted from the side of the management that CDC is an autonomous body set up for development and promotion of consultancy capabilities in the country. The function of CDC are mainly promotional and is dependent on special engineering and management scheme. It is not an Industry as per the Industrial Dispute Act, 1947. In a catena of judgments it has been repeatedly held that autonomous bodies are not Industries. Award of ID No. 112/95 old ID No. 827/83 has been annexed with the record.

The respondents are doubtless an undertaking of the Government. They are not Research Institution or sovereign. They are carrying on systematic activities. It has been held in Bangalore Water Supply that mess workers or peons of universities are industrial workmen and the universities are Industries in respect of such workmen. The respondents are Industry in view of criteria laid down by the Hon'ble Apex Court in Bangalore Water Supply in 1978. That decision has not been revised by any Larger Bench. So the respondents are very much an Industry. This point is decided accordingly.

Point No. 2 :

It was submitted from the side of the workman that he worked from 04-06-1994 to 31-03-1998 continuously. He was denied duty on 31-03-1998. Termination of his services is illegal. It was further submitted that Shri Ram Snehy was junior by two years to the workman but he has been regularised. It was for the first time in the conciliation proceedings that the management took the plea that he was an employee of M/s. T.S. Murali and Co., the contractor.

From his service record, bills and correspondence it is prima facie proved that the workman was working under the direct control and supervision of the management No.1. The termination of the services of the workman is absolutely illegal as no retrenchment is as compensation and pay in lieu of notice has been given to him.

It was further submitted that the management witness has admitted that at present Shri Ram Snehy is the regular employee of his department and Shri Ram Snehy was regularised before his joining. The witness joined CDC in the year 1986 as Accounts Officer. The service of Shri Ram Snehy was regularised prior to joining of this witness.

MW 1 has further admitted that initially Shri. Ram Snehy was taken on daily wages and after that he was regularised. MWI has also admitted the signature of Shri Gopi Nath on several documents filed in this case. Shri R. Gopi Nath was admittedly working in the department as has been admitted by MWI. He has put his signatures on certain documents.

The workman applicant has filed documents relating to his employment. The workman applicant has filed photocopy of Identity Card B-41. He has filed photocopy of payments made to him on various dates in the year 1995. The management has denied these photocopies. Paper No. B-39 is on the pad of CDC. The workman has been made payment of over time. He has filed B-41, Identity Card. It is the Identity Card of the CDC and issuing authority has signed it. Simply denial of every document is not sufficient. The photocopy of Identity Card is the Identity Card of CDC. No original has been produced and no other proforma of Identity Card has also been produced by the management.

The workman has filed photocopies of attendance. These photocopies have been denied but the CDC has been written on this printed attendance sheet. This register mentions the name of Shri Ram Snehy also. The services of Shri Ram Snehy has been regularised by the management. The workman has filed several papers of conveyance claim form which is admittedly of CDC. These documents go a long way to prove that the workman has worked for more than 240 days in every year during his employment. He was engaged on 04-06-1994 and he worked up to 31-03-1998. So he has worked for 240 days at least in 1995, 1996 and 1997. He has proved it by cogent documents. He can file only photocopies. The originals are in the possession of the management/respondent.

The documents filed by the workman establishes the fact that the workman worked under the control and supervision of the respondent/management. The respondent/management has not filed even a single scrap of paper to show that the payment was made through the contractor. In case of contract the entire wages are paid to

the contractor and the contractor in terms makes payments to the workmen. If M/s. T.S. Murali and Co. was engaged as contractor then the management should have made payment of the entire wages to the contractor. But no such documents have been filed that any amount as wages was paid to the contractor. No document has been filed that the contractor has made payment of wages to the workman.

It is admitted that the workman worked in the premises of CDC. He has put attendance on the attendance register and he has been made several payments. He has been issued Identity Card on the Identity Card proforma of the management. He has been given gift of Diwali Rs. 500. In the circumstances the contractor is only a name lender.

The respondent got the contract signed to camouflage the status of the workman. The workman consistently worked with the CDC and he has been made several payments by the CDC. As such there is relation of master and servant between the management and the workman.

All payments have been made on the letter heads of the management. Identity Cards have been issued to this workman directly by the management. There is no endorsement of any contract. In the circumstances contract has been introduced to camouflage the status of this workman. House Keeping job is a work of continuous and regular nature. One of such employee has been regularized. The respondents did not keep Muster Roll and maintain seniority list. It is at the discretion to regularize a workman and to remove the other. Such executive discretion amounts to vicious discrimination. In case contractor is a name lender the workman is not attached with that contracting company but the workman is attached all along with the respondents. the intermediary, the contract stands nowhere.

The workman has been working as House Keeping Boy and no payment to this workman has been made by the contractor. He has signed attendance register of the respondents. He worked under the direct control and supervision of the respondents. The respondents decide what is to be done and how it is to be done so there is contract of service/employment. The Hon'ble Apex Court has mentioned in a catena of cases the control test. There should be direct supervision and control over the workman; they should be working under the premises of the management. They should be integrated to the establishment and the job should be of regular and continuous nature. The respondents cannot function in the absence of House Keeping Boys. So the day to day duty of the House Keeping Boys is a perennial nature of work. It is not the case of the respondents that this workman has been engaged as an additional hand in view of fresh increase of work. The respondents cannot function smoothly without House Keeping Boys. Such necessity is from the inception of the creation of the respondents. So they should not be dependent on supply of manual labour

by a contract agency. Manual Labour is not a merchandise or an article to be supplied by a contractor to the Government. Contract is simply an agreement for giving certain results. Day to day duties of manual labour consistently and for a long period cannot be a subject to be supplied by a contractor. It is subversion of Constitution and stifling the Directive Principles of State Policy.

The Directive Principles are not fundamental rights but they are very much fundamental in the governance of the country. It has been enshrined in the Constitution that state will provide employment to maximum of its citizens subject to economic conditions or availability of work. It is nowhere provided in the Constitution that a contract agency will supply human Labours to a Government Department. Human Labour is not an article to be purchased by a contractor and subsequently supplied to a Government Department for service charges. There should not be any service charge for supply of human Labour as it is against human dignity. So the respondents have engaged the workman directly and in order to camouflage and conceal his status they have named an intermediary.

In case a contract is absolutely sham and it has been resorted to for concealing the real status of master and servant relationship, the master and servant relationship is created by the breach committed by the respondents.

It was submitted from the side of the workman that the management agreed to absorb the workman in the conciliation proceedings and he has agreed in the written statement to absorb the workman. So in view of the reply of the management, the management is willing to absorb the workman applicant. This indicates the fact that he performed the duties with the respondent to their full satisfaction. Contract is ruse and camouflage. The contractor is mere a name lender. In Steel Authority of India the Constitution Bench of the Hon'ble Apex Court has held that if a workman works for the respondent he shall be deemed to be the employee of the respondent. The workman has not been engaged by the contractor for his own work. The workman has been engaged for the work of respondent/management. So he naturally becomes an employee of the respondent/management. There is master and servant relationship between the management and the workman. This issue is decided accordingly.

Point No. 3.

It was submitted from the side of the management that in view of 2006(4) Scale that merely because a temporary employee or a casual wage worker is continued for time beyond the terms of his appointment. He would not be entitled to be absorbed in regular service or made permanent merely on strength of such continuance, if original appointment was not made by following the due process of selection.

It was further observed in this case that the constitutional scheme envisages employment by the

Government and its instrumentality on the basis of the procedure established in that behalf, equality of opportunity is the hall mark. The Constitution has provided also for affirmative action to ensure that inequals are not treated equals. Any public employment is to be made in terms of constitutional scheme.

In Constitution Bench Judgment in AIR 2001 SC 3527 it has been held that the industrial adjudicator will have to consider the question whether the contract has been interposed either on the ground of having undertaken to produce any given result for the establishment or supply of contract labour for work of the establishment under the genuine contract or whether it is a mere ruse/camouflage to evade compliance of various beneficial legislations so as to deprive the workers of the benefits thereunder. If the contract is not genuine the alleged contract labour should be treated as the employees of the principal employer who shall be directed to regularise the services of the contract labour in the concerned establishment. In the instant case it is proved fact that the contractors are mere name givers and job lenders. The workman work under the control and supervision of the management. In the present case the contractor has engaged the workman for the services to be rendered to the management. The contractor has not engaged the workman for his own services. In view of the Constitution Bench judgment AIR 2001 SC 3527 the workman is to be reinstated or regularised.

The Constitution Bench Judgment of 2006 (4) Scale is not applicable in the present facts and circumstances of the case and in view of the Constitution Bench Judgment 2001 SC 3527.

It has been held in AIR 1953 SC 404 that if a master employs a servant and authorises him to employ a number of persons to do a particular job and to guarantee their fidelity and efficiency for cash consideration, the employees thus appointed by the servant will be equally with the employer servant of the masters.

The nature of work can be ascertained from the guidelines laid down in the Hon'ble Apex Court judgment 1953 SC 404. The work is of perennial and continuous nature. The workman has been taken in breach of Section 10 of Contract Labour (Regularisation & Abolition) Act, 1970.

It has been provided in Section 25F of the ID Act that if the work is of continuous and perennial nature and the work is still existing a workman cannot be retrenched without payment of retrenchment compensation and pay in lieu of one month's notice. In the instant case no retrenchment compensation has been paid and it has been established that the workman has worked for 240 days at least in two years preceding the year of his termination. In case provision of section 25 are not complied with, the retrenchment becomes illegal, inoperative and ineffective and there is no cessation of service of the workman. In such cases it has been provided that the workman should be reinstated with back wages.

The judgment of the Hon'ble Apex Court in 2006 (4) Scale is not applicable in the facts and circumstances of the present case and in view of section 25F of the ID Act, 1947.

Reinstatement and regularisation are to different species of relief. Regularisation involves the element of being permanent employee whereas reinstatement implies restoring a workman to his ante status quo. By reinstatement a workman is not regularised or made permanent. The management is simply directed to restore the previous status of the workman and pay him compensation. The provision of ID Act, 1947 are beneficial piece of legislations. The workman deserves reinstatement.

The workman was engaged as Peon/helper. He is a manual worker and he has not disclosed as to what was the source of his subsistence during his period of non-employment. A manual workman is expected of performing some duty off and on for his subsistence. So 25% back wages are adequate for the ends of justice. The workman deserves reinstatement with 25% back wages. The law cited by the managements are not applicable in the facts and circumstances of the present case.

The reference is replied thus:

The demand of Shri P. Dharma workman engaged through M/s. T.S. Murali, Contractor in the establishment of Consultancy Development Centre on the contract work of House Keeping Job for the period from 04-06-1994 to 31-03-1998 for his employment and regularisation in service with Consultancy Development Centre being principal employer is valid, legal and justified. The management is directed to reinstate the workman w.e.f. 31-03-1998 with 25% back wages within one month from the publication of the award.

Award is given accordingly.

Date: 25-08-2006. R. N. RAI, Presiding Officer

नई दिल्ली, 1 सितम्बर, 2006

का.आ. 3840.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लेबर कोर्ट चेन्नई के प्रबन्त के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बामन लॉरी एण्ड क. लिमिटेड के पंचाट (संदर्भ संख्या 65/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-8-2006 को प्राप्त हुआ था।

[सं. एल-30011/14/2005-आई आर(विविध)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 1st September, 2006

S.O. 3840.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the award (Ref. No. 65/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the the management of Balmer Lawrie & Co. Ltd. and their workman, which was received by the Central Government on 24-8-2006.

[No. L-30011/14/2005-IR (M)]

B. M. DAVID, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Thursday, the 25th May, 2006

PRESENT: K. Jayaraman, Presiding Officer

Industrial Dispute No. 65/2005

[In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Balmer Lawrie & Co. Ltd. and their workmen]

BETWEEN

The General Secretary, : I Party/Claimant
Balmer Lawrie Employees
Union, Chennai.

AND

The General Manager, : II Party/Management
Balmer Lawrie & Co. Ltd.,
Chennai.

APPEARANCE:

For the Claimant : M/s. K. Elango, Advocates.
For the Management : M/s. V.S. Rajan Associates,
Advocates

AWARD

The Central Government, Ministry of Labour vide Order No. L-30011/14/2005-IR(M), dated 08-08-2005 has referred the dispute to this Tribunal for adjudication. The Schedule mentioned dispute is as follows :—

“Whether the action of the management of Balmer Lawrie Co. Ltd. in not paying HRA @ 30% to the employees employed in Bangalore Region is legal and justified? If not, to what relief the workmen are entitled to?”

2. After the receipt of the reference, it was taken on file as I.D.No.65/2005 and notices were issued to both the parties and both the parties entered appearance through their advocates and filed their Claim Statement and Counter Statement respectively.

3. The allegations of the Petitioner Union in the Claim Statement are briefly as follows :—

The Petitioner union espouses the cause of three workmen employed by the II Party /Management. The conditions of service of employees are determined based on amicable long term settlements signed between the parties. Memorandum of Settlement dated 21-7-95 was in force till 31-12-97. On the expiry of the above said settlement, they have entered into another settlement under Section 12(3) of I.D. Act dated 5-2-2002 and this settlement was in force till 31-12-2003. With regard to House Rent Allowance terms agreed upon between the union and Respondent/Management under clause 10 of the settlement dated 21-7-95 are as under 10.1 All permanent employees including probationers will be entitled to HRA @ 25% of basic pay subject to a maximum of Rs. 1000/per month. However, the same shall get enhanced to 30% of basic pay subject to a maximum of Rs. 1000 per month with effect from 1-4-1994. In the next settlement dated 5-2-2002 the agreed terms with regard to HRA is mentioned in Clause 4, wherein 4.1. says 'all permanent employees (including probationers) covered by settlement will be entitled to HRA at following rates.

Class of city	Metro	A	B1	B2	C	Unclassified
HRA						
Percentage of Basic Pay	30%,		15%,	7.5%		5%,

Clause 4.2. says "at locations where the existing rates of HRA is higher than the above rates such higher rates of HRA shall stand protected." The three members of the I Party Union who are in Bangalore have not been provided with HRA as per the terms of the above said settlement dated 5-2-2002. In the settlement dated 21-7-95 it was agreed that all the employees shall be paid HRA @ 30% of their basic pay subject to a maximum of Rs. 1000 per month with effect from 1-4-94. But in the settlement dated 5-2-2002 the earlier ceiling of Rs. 1000 was removed and it was agreed as per clause 4(2) that at locations where the existing rates of HRA was higher than the rates mentioned in this settlement, such higher rates of HRA shall stand protected. As per understanding between the parties, the employees at Bangalore would continue to get 30% of their basic pay as HRA without any ceiling. Hence, the demand of 30% of their basic pay as HRA for the employees in Bangalore is justified. The employees in Chennai who were getting HRA @ 30% of their basic pay subject to a maximum of Rs. 1000/- w.e.f. 1-4-94 as per earlier settlement dated 21-7-95 continued to get HRA at the same rate of 30% without ceiling after the settlement dated 5-2-2002. Therefore, the employees in Bangalore who are paid HRA @ 30% of their basic pay limited to a maximum of Rs. 1000 per month is contrary to clause 4.2 dated 5-2-2002. Even though

the anomaly was brought to the notice of the Respondent/Management by the Petitioner union, the management failed to understand that it was agreed during the finalisation of the settlement that the percentage of basic pay to be paid as HRA has been protected in respect of employees in Bangalore. Therefore, they have raised dispute before Assistant Labour Commissioner(Central) and since the conciliation ended in failure, the matter was referred to this Tribunal for adjudication. Therefore, the action of the Respondent/Management is highly unjustified and illegal. Clause 4.2 of the settlement dated 5-2-2002 was introduced only to remove ceiling on the amount payable as HRA and it was added to protect the existing percentage of basic pay to be paid as HRA. The contention of the Respondent that employees were given option to draw HRA based either on the pre-existing settlement or the present settlement which ever is higher is false. Knowing fully well that the settlement dated 5-2-2002 is more beneficial to the workman in general and those in Bangalore in particular has come out with such an innovative plea. Hence, the Petitioner union prays that an award may be passed holding that the action of the Respondent/Management in not paying HRA @ 30% to employees employed in Bangalore is illegal and also for a direction to pay the same from 1-1-98.

4. As against this, the Respondent in its Counter Statement contended that no doubt clause 4.2 was introduced in settlement dated 5-2-2002, but the spirit of provision cannot be read contrary to the intent and the instructions of Government of India. The proviso cannot be read and interpreted contrary to the intent and the terms of settlement as also the instructions issued by Department of Public Enterprises, Government of India relating to wage negotiation in Central Public Sector Enterprises as well as guidelines enumerating the method of computation and percentage applicable in the case of benefits like D.A. HRA, City Compensatory Allowance etc. The Government of India have classified cities and towns under various categories for the purpose of payment of HRA and CCA. Percentage varies depending on the category of city/town and the Central Public Sectors are mandated to follow the instructions issued by Department of Public Enterprises of Government of India. No doubt, it was agreed that all the employees shall be paid HRA @ 30% of their basic pay subject to maximum of Rs. 1000 per month w.e.f. 1-4-94. But, the allegation that settlement dated 5-2-2002 earlier ceiling of Rs. 1000/- was removed and it was agreed that as per the clause 4.2 that at locations where the existing rates of HRA was higher than the rates mentioned in this settlement such higher rates of HRA shall stand protected is not admitted and a manner of interpretation by the I Party union which cannot be countenanced. Mere classification of cities in Clause 4 as Metro A, B 1, B2 and C and unclassified in itself would negate the self-made interpretation of the Petitioner union. The settlement dated

21-7-95 did not originally cover the workmen in Bangalore. In the Respondent establishment at Bangalore only three members belonging to workmen category, the conditions of service applicable at Chennai were extended to workmen in Bangalore. However, due to misinterpretation these workmen were given house rent allowance at the same rate as was applicable to Chennai namely 30% limited to Rs.1000 per month and this anomaly was corrected by clause 4.1 of settlement dated 5-2-2002. The notification issued by Government of India, Bangalore fall under A class city for the purpose of HRA and therefore, the employees covered by the long term settlement would have become eligible for HRA of 15% of basic pay. This would have had the effect of reducing the existing quantum of HRA drawn by the workmen covered by settlement at Bangalore, a proviso was incorporated vide clause 4.2 of the settlement to the effect that 'at locations where the existing rates of HRA is higher than the above rate, such higher rates of HRA shall stand protected.' Accordingly, employees in Bangalore are given the option to draw HRA at 15% of basic pay without any upper ceiling (as per subsisting LTS) or at 30% with ceiling of Rs. 1000 per month, whichever is beneficial to them. This classification of cities is done by Govt. on scientific basis and the percentage of HRA is determined for each category of city on the basis of cost of living and other parameters and hence, the averments made by the Petitioner union are based on misconception. Therefore, employees in Bangalore who are being paid HRA of 30% of their basic pay limited to maximum of Rs.1000 per month is perfectly in line with the settlement dated 5-2-2002 and is not at all contrary to clause 4(2) of the agreement dated 5-2-2002 and it is clearly stated in reply to the Petitioner union's representation. Further, the provisions contained in a clause of the settlement has to be read in full and not in bits and pieces. The Respondent/ Management is a Government of India enterprises and functionally under the control of Government of India, Ministry of Petroleum and Natural Gas, Department of Public Enterprises. According to Government of India guidelines HRA have been specified under clause 11 of Office Memorandum at various categories of cities. Only inconformity with the above circular, the HRA at 30% should not have been paid at Bangalore based employees and for that reason in order to obviate this anomaly of paying higher rate of HRA at 30% instead of 15% long term settlement stipulated the HRA under clause 4.2. Further, any interpretation cannot go beyond the scope of instructions contained in O.M. dated 25-6-99 of Department of Public Enterprises, Government of India, Ministry of Industry and it has to be read in tandem with clause 11 of said guidelines and these are statutory in nature and there can be no estoppel on this account. Therefore, the entire provisions with regard to HRA as mentioned in settlement dated 21-7-95 together with other stipulations forming part of relevant clause namely limiting the sum of Rs.1000 per month would also clearly applicable to the members of the

Petitioner union at Bangalore, hence the Respondent prays that the claim may be dismissed with costs.

5. In these circumstances, the points for my determination are —

- (i) "Whether the action of the Respondent/ Management in not providing HRA at 30% to employees employed in Bangalore Region is legal and justified?"
- (ii) "To what relief the concerned workmen are entitled?"

Point No. 1 :

6. The short point to be decided in this case is whether the employees of the Respondent employed in Bangalore region is entitled to get 30% of HRA as alleged by them. The General Secretary of the Petitioner union was examined as WW 1 and on their side, Ex.W1 to W13 were marked. On the side of the Respondent/ Management one Mrs. Shyama Gopakumar, Deputy Manager (P & A) was examined as MW1 and Ex.M1 to M 11 were marked.

7. Learned counsel for the Petitioner contended that the condition of service of the Respondent/ Management are determined based on amicable long term settlements signed between the management and the union. Similarly, Ex.W1 and W2 settlements were executed and the 1st settlement under Ex.W1 dated 21-7-95 was in force from 1-1-93 to 31-12-97 and the next settlement dated 5-2-2002 Ex.W2 which was for the period from 1-1-98 to 31-12-03. Clause 4 of Ex.W2 settlement deals with HRA which says "all permanent employees (including probationers) covered by the settlement will be entitled to HRA at the following rates —

Class of city	Metro	A	B1	B2	C	Unclassified
HRA						
Percentage of Basic Pay	30%,			15%,	7.5%	5%,

Clause 4.2 says that "At locations where the existing rates of HRA is higher than the above rates, such higher rates of HRA shall stand protected." Even in that settlement, it is stated that the said settlement will cover permanent workmen who are employed in travel division and cargo division in Bangalore. The three workers whose cause in this dispute is raised are employed under travel or cargo division of the Respondent/Management in Bangalore. But the said employees have not provided with house rent allowance as per terms of Ex.W2. Even after several representations, the Respondent/ Management has not paid the employees in Bangalore @ 30% of their basic pay without any ceiling on the amount. It is the further contention of the learned counsel for the Petitioner that under the provisions of settlement Ex.W1 clause, 10 deals with HRA which says "All permanent employees (including probationers) will be entitled to HRA @ 25% of basic pay

subject to a maximum of Rs.1000 per month. However, the same shall get enhanced to 30% of basic pay subject to a maximum of Rs. 1000 per month with effect from 1-4-1994." Learned counsel for the Petitioner further contended that understanding between the Respondent and the Petitioner union is that the employees in Bangalore would continue to get 30% of basic pay as HRA without any ceiling and only in order to clarify this, under clause 4.2, of Ex.W2 it is mentioned that existing rate of HRA shall be protected. After Ex.W2 the employees of the Respondent in Chennai who are getting their HRA @ 30% of their basic pay continued to get HRA at the rate of 30% without any ceiling from 1-1-98. But on the other hand, the employees in Bangalore who have received HRA at 30% of their basic pay limited to a maximum of Rs. 1000 per month under Ex.W1 settlement, now they are getting not 30% of basic pay but only maximum of Rs. 1000 alone. Thus, it is clear that Respondent/Management has violated clause 4 of Ex.W2 settlement with regard to employees in Bangalore. The Petitioner union has represented the same to the Respondent/Management under original of Ex.W6, W7 and W8. But the contention of the Respondent/Management is that the employees of Respondent office at Bangalore were given option to draw HRA based either on the pre-existing settlement or the present settlement whichever is higher. But there is no documentary proof to substantiate this contention of the Respondent/Management. The next contention of the Respondent/Management is that guidelines and instruction which are issued by Government of India under Ex.M9 and M10 would override the settlements and therefore, the Petitioner union cannot claim 30% of HRA for the employees of Respondent in Bangalore. The learned counsel for the Petitioner contend that this contention of Respondent/Management is not legally sustainable because, no office memorandum or guidelines or administrative orders can override any statutory provisions. Ex.W2 settlement is put in par with an award made by the adjudicatory authority. It is also held in the case of *BARAUNI REFINERIES PRAGATISHEEL SHRAMIK PARISHAD Vs. INDIAN OIL CORPORATION LTD. AND OTHERS* reported in 1991 ILJ 46 and therefore, the contention of the Respondent is to be rejected by this Tribunal.

8. But, as against this, learned counsel for the Respondent contended that by the office memorandum No.2(49)/98-DPE(WC) dated 25-6-1999, copy of which is marked as Ex.M9, the Central Govt. classified the cities and towns for which entitlement of HRA is mentioned, hence the settlement Ex. W2 also contains the same classification of cities and towns. In such circumstances, the Petitioner union cannot ignore the office memorandum and question the same that it will not bind them. The said office memorandum was issued by Ministry of Heavy Industries & Public Enterprises. The concept of retaining the earlier HRA paid by Respondent/Management was mandated in the same Govt. memorandum and this mandate was found place in Ex.W2 settlement by incorporating under Clause 4

which in other words to protect the earlier amount of HRA paid to the employees. Therefore, the effect of office memorandum cannot be ride over the terms of settlement. The Tribunal can take judicial notice of the fact that settlement with the Petitioner union in public sector undertaking for fixation of various benefits are in pursuance of instructions issued by Government of India from time to time and there cannot be a settlement which is in contravention of the office memorandum issued by the Ministry from time to time. Learned counsel for the Respondent further contended that the Petitioner Union's contention that under clause 4.2 of settlement Ex.W2, employees at Bangalore are entitled to be paid HRA @ 30% is running contrary to the very clause which clearly specifies that at locations where the existing rates of HRA is higher than the rates of such higher rates of HRA shall stand protected clearly means that the amount of HRA that has been paid earlier would stand protected and not the said percentage of HRA and if the interpretation of the Petitioner union is to be countenanced, then such interpretation would be running contrary to the settlement under 10.1 of Ex.W1 settlement. The intention behind clause 4.2 of Ex. W2 settlement is to harmonize its working with clause 10.1 of Ex. W1 settlement. This interpretation only would be very logical and giving proper effect to the meaning of both Ex.W1 and W2 settlements. The essence of clause 4.2 of Ex.W2 settlement is to synchrnize and maintain the status quo as of Ex.W1 settlement without upsetting the entitlement of concerned workers who are already paid under Ex.W1 settlement availing the maximum of Rs. 1000 of HRA paid every month and there can be no other contrary interpretation. In Ex. W9 memorandum it is clearly stated that the public sector undertaking employees would be allowed to draw earlier rates of HRA on the revised basic pay wherever HRA rates are lower than the earlier rates as per new classification of cities, till further orders from the Govt. By the above clarification, the employees of I party at Bangalore have been allowed to draw earlier rates of HRA on the revised basic pay, wherever HRA rates are lower than the earlier rates as per new classification of cities and after that the Central Govt. classified the cities and towns in which Bangalore comes under A, B1 and B2 category by which 15% of the basic pay is to be granted as HRA, the earlier drawal of HRA as per earlier rates of 30% subject to the ceiling of Rs. 1000 has been maintained in consonance with the Office Memorandum. Therefore, the essence of this memorandum is incorporated as saving clause in 4.2. of Ex.W2 settlement and the earlier payments have been protected by the said settlement. If the contention of the Petitioner union is accepted, then it will dilute the binding nature and therefore, the same cannot be over ride the settlement under Ex. W2.

9. Even though the learned counsel for the Respondent vehemently contended that the employees in Bangalore are entitled to HRA with a ceiling of Rs. 1000 per month, I find there is no substance in his contention.

Because, the ceiling of Rs.1000/- in HRA even though mentioned in Ex.W1 it has not been incorporated in Ex.W2 settlement. In Ex.W1 settlement under clause 7.1 it is clearly stated that this settlement, other than clause 27, shall be effective for a period of five years from 1-1-1993 till 31-12-1997 and thereafter also continue to remain binding on the parties, till a fresh settlement is reached. Therefore, the clause mentioned in Ex.W1 will be binding on the parties only till a fresh settlement is reached. The Respondent's contention can be accepted only if that clause mentioned in Ex.W1 settlement is incorporated in Ex.W2 settlement. But, in this case, under Ex.W2 settlement clause 4 that deals with HRA has not specifically stated as mentioned under clause 10 of Ex.W1 settlement. In Ex.W1 clause 10(1) says that all permanent employees (including probationers) will be entitled to HRA @ 25% of basic pay, which subsequently raised to 30%, however, they are subject to maximum of Rs. 1000 per month, which clause has not been incorporated in Ex.W2 settlement under clause 4. Therefore, the contention of the Respondent that at the time of settlement, the parties agreed to and the employees were given option to draw HRA based either on the pre-existing settlement or the present settlement which ever is beneficial to them for which there is no proof to show in the settlement. If really, the contention of the Respondent/Management is to be accepted, it should be incorporated in the settlement itself, on the other hand, the settlement is silent about that. On the other hand, it clearly says that all the permanent employees covered by the settlement will be entitled to HRA on the following rates and clause 4.2 says that at locations where the existing rates of HRA is higher than the above rates, such higher rates of HRA shall stand protected. Therefore, I am of the opinion that if really the contention of the Respondent is to be accepted clause 4.2 should be that "all locations where existing amount of HRA is higher than the above rates, such higher amount of HRA shall stand protected." But instead of amount, it is only mentioned as rates i.e. percentage of HRA and therefore, I am not inclined to accept the contention of the learned counsel for the Respondent.

10. The next contention of the learned counsel for the Respondent is that the office memorandum are binding on all the parties and this terms of settlement cannot over ride the clause mentioned in office memorandum and therefore, the Petitioner union cannot contend contrary to office memorandum under EX.M9 and M10. Further, learned counsel for the Respondent contended that grammatical and ordinary sense of words is to be adhered to unless that would lead to some absurdity or some repugnance or inconsistency with the rest of instrument. In this case, rates of HRA has been fixed by Central Govt. classifying cities and towns and it is an admitted fact that Bangalore is coming under A, B1 and B2 category and for this category, the Govt. has fixed HRA @ 15% . Under such circumstances, it cannot be contended that settlements

entered into between union and the management has gone contrary to the said classification mentioned by the Govt. Therefore, clause 4.2. was incorporated only with an idea to protect the earlier settlement under Ex. W1. Since as per the memorandum of Govt. it would bring out the employees' entitlement for HRA, the said clause was incorporated and therefore, it cannot be contended that the said proviso has been incorporated under Ex.W2 settlement in derogation of rates mentioned by the Govt. memorandum.

11. On the other hand, learned counsel for the Petitioner contended that in 1991 I LLJ 46 BARAUNI REFINERIES PRAGATISHEEL SHRAMIK PARISHAD Vs. INDIAN OIL CORPORATION LTD. AND OTHERS, the Supreme Court has clearly stated that "a settlement arrived at in the course of conciliation proceedings with a recognised majority union will be binding on all workmen of the establishment..... There is an underlying assumption that a settlement reached with the help of conciliation officer must be fair and reasonable and can, therefore, safely be made binding not only on the workmen belonging to union signing the settlement but also on others. That is why a settlement arrived at in the course of conciliation proceedings is put on par with an award made by an adjudicatory authority." In this case, settlement under Ex.W2 was entered into between the union and the management under Section 12(3) of the I.D. Act and it is put on par with an Award made by an Adjudicating Authority and it cannot be said that clauses in the settlement cannot over ride the provisions of Govt. memorandum or guidelines or administrative orders. In this case, clause 4.2 in Ex.W2 clearly states that at locations, where the existing rates of HRA is higher than the above rates such higher rates of HRA shall stand protected and therefore, the contention of the Respondent/Management cannot be accepted in these circumstances.

12. I find much force in the contention of the learned counsel for the Petitioner. As I have already pointed out if really the amount paid to the employees of the Respondent/Management in Bangalore is to be protected, it should be mentioned in clause 4.2, if the existing amount of HRA is higher than the above rates such higher amount of HRA shall stand protected, But clause 4.2. mentions only rates which means, percentage of HRA and not the amount. Under such circumstances, I am not inclined to accept the contention of the Respondent and therefore, I find this point in favour of the Petitioner.

Point No. 2 :

The next point to be decided in this case is to what relief the concerned employees are entitled?

13. In view of my foregoing findings that the action of the Respondent/ Management in not paying at the rate of 30% HRA to employees employed in Bangalore Region is not legal and justified, I find the Petitioner is entitled to the relief as prayed for.

14. Thus, the reference is answered accordingly.

(Dictated to the P. A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 25th May, 2006.)

K. JAYARAMAN, Presiding Officer

Witnesses Examined :—

For the I Party/Claimant : WW I Sri V. Deenadayalan

For the II Party/Management : MWI Smt. Shyama Gopakumar

Documents Marked :—

For the I Party /Petitioner :—

Ex.No.	Date	Description
W1	21-07-95	Xerox copy of the settlement u/s. 12(3) of L.D. Act.
W2	05-02-02	Xerox copy of the settlement u/s. 12(3) of L.D. Act
W3	Feb. 02	Xerox copy of the pay roll of K. Shankara
W4	May, 2002	Xerox copy of the pay roll of K. Shankara
W5	Nov. 2003	Xerox copy of the pay roll of Nirmal chander
W6	07-05-02	Xerox copy of the letter from I party to II Party/Management
W7	11-07-02	Xerox copy of the letter from Petitioner union to Respondent/ Management
W8	12-05-03	Xerox copy of the letter from Petitioner Union to Respondent/ Management
W9	02-06-03	Xerox copy of the letter from Respondent/ Management to Petitioner Union
W10	25-07-03	Xerox copy of the 2K petition
W11	25-11-03	Xerox copy of the reply submitted by Respondent
W12	27-11-03	Xerox copy of the minutes of conciliation proceedings
W13	23-01-04	Xerox copy of the rejoinder filed by I Party.

For the II Party/Management:

M1	21-07-95	Xerox copy of the memorandum of settlement u/s. 12(3)
M2	05-02-02	Xerox copy of the memorandum of settlement u/s. 12(3)
M3	07-05-02	Xerox copy of the letter from Petitioner union to Respondent/ Management
M4	11-07-02	Xerox copy of the letter from Petitioner to Respondent
M5	12-05-03	Xerox copy of the letter from Petitioner to Respondent/ Management
M6	02-06-03	Xerox copy of the letter from II Party/Management to Petitioner union

Ex.No.	Date	Description
M7	25-11-03	Xerox copy of the representation of Respondent to Assistant Commissioner of Labour(Central)
M8	31-03-05	Xerox copy of the failure of conciliation report
M9	25-06-09	Xerox copy of the office memo issued by Ministry of Industry, New Delhi.
M10	22-01-01	Xerox copy of the office memo issued by Ministry of Industry, New Delhi.
M11	03-07-04	Xerox copy of the letter from Respondent/Management to Assistant Commissioner of Labour (Central), Chennai.

नई दिल्ली, 1 सितम्बर, 2006

का.आ. 3841.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भुवनेश्वर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एयरपोर्ट आर्थी ऑफ इंडिया के पंचाट (संदर्भ संख्या 428/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-8-2006 को प्राप्त हुआ था।

[सं. एल-11012/22/2001-आई आर(विविध)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 1st September, 2006

S.O. 3841.—In Pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 428/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar-2 as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Airport Authority of India and their workmen, which was received by the Central Government on 29-8-2006.

[No. L-11012/22/2001-IR (M)]

B. M. DAVID, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT BHUBANESWAR

PRESENT:

Shri N.K.R. MOHAPATRA,
Presiding Officer, C.G.I.T.-cum-Labour Court,
Bhubaneswar.

Industrial Dispute Case No. 428/2001

Date of Passing Award —14th August, 2006

Between:

1. The Management of the Director,
Airport Authority of India, Biju Pattnaik Airport,
Bhubaneswar, Orissa.
2. M/s. Nivedita Electricals, 6/83, Bijaygarh,
Jadavpur, Kolkata, West Bengal - 700 032

—Ist Party-Managements

AND

Their Workmen, represented through the General Secretary, Bhubaneswar Airport Workers Union (CITU), Plot No. 251, Kharvela Nagar, Unit-II, Bhubaneswar Orissa, Pin - 751 009.

—2nd Party-Union.

APPEARANCES:

Shri A.K. Sahu —For Management No. 1
None —For Management No. 2
None —For 2nd Party Union.

AWARD

The Government of India in the Ministry of Labour, in exercise of powers conferred by Clause (d) of sub-section (I) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their Order No. L-11012/22/2001 IR (M), dated 31-10-2001 :—

“Whether the action of the Management of Airport Authority of India, Bhubaneswar in reducing the designation & wages of Shri Dayanidhi Sahu and five others is justified? If not, what relief the workmen are entitled to?”

2. It is claimed by the Union that the disputant workmen being engaged by different contractors from time to time were working since 1996 as Pump Operators in the establishment of Management No.1, the Air port Authority of India at Bhubaneswar. In the month of Dec. 2000 they were paid @ Rs. 69.19 per day by the contractor Nivedita Electricals (Management No. 2) though they were getting earlier (@ Rs. 85.72. Therefore, the Union raised a dispute before the Asst. Labour Commissioner (Central) culminating the same in the present reference. It is alleged by the Union that the said Management No.2 has not only reduced their wages by paying less than what they were getting earlier but also has reduced their rank by re-designating them as unskilled workers for payment @ Rs. 69.19.

3. On notices being sent separately from this end the Management No. 2 appeared and took steps to see that his name is deleted from the purview of the reference and after loosing the said battle he did not appear for which he was set exparte. He also did not filed any written statement. However on his application he was simply allowed to participate in the proceeding. The Management No.1 on the other hand appeared and filed his written statement stating in nutshell that the disputants being the employee of the Contractor (Management No. 2) he has nothing to say in the matter. By the by he also stated that the work performed by the disputant being of semi-skilled nature they were paid accordingly @ 69.19 by the contractor.

4. During trial the Union remained absent and hence he was set exparte. As the Management No. 2 was equally set exparte by then, the Management No. 1 alone adduced his exparte evidence by examining one of his officer. He also produced one deed of agreements dated 11-12-2000 entered with Management No. 2 as also another letter dated 13-11-2000 of said Management No. 2.

5. From the evidence of the Management witness and the aforesaid documents marked as Ext-A/1 and A/2 it is gathered that pursuant to a Tender Notification published by Management No.1 several quotations were received and out of it the quotation given by the Management No. 2 was accepted and he was given work order in Nov. 2000 and an agreement to that effect was reduced in to writing on 11-12-2000 vide Ext. A/1. The quotation so given by the Management No.2 seems to have had been prepared considering the minimum wage payable to a semi-skilled worker so as to make it more compatible with the Tender Notice. But after getting the contract on the basis of his above quotation when he wanted to pay the disputants at that rate which was less than what they were getting from the previous Contractor, the present dispute was raised before the Regional Labour Commissioner (Central) culminating the same in the present reference.

6. It be repeated here that when the Union has not come forward to present its case it is too difficult to appreciate the individual status of each disputant, with the limited information provided by Management No. 2. The claim statement of the Union simply shows that from time to time these disputants were engaged on self same job by different contractors and that after getting the contract for the year 2000 the Management No. 2 also engaged them in view of their past experience but paid them the wages of a semi-skilled worker. The letter marked as Ext.-A2 indicates that when these workers demanded wages of a skilled worker which they were getting from the earlier contractor. The Management No. 2 by his above letter wanted to collect the differential wages from Management No. 1 by making necessary corrections in the quotation submitted at the time of tender and by making such a bid did not like to pay the disputant the wages of a skilled worker. It be pointed out here that a contractor is not bound to pay the workers at the rate at which they were getting from a earlier contractor. At the time of taking the contract, it is for the contractor either to engage his own workers or the workers of the earlier contractor on such terms and conditions as agreed by these workers. In the absence of any such terms/conditions it is to be construed, in case of engagement of the workers of the previous contractor, that he had consented to engage them without altering their benefits that they were getting from the previous contractor. But in the present case when the said Management No. 2 has not come forward to say as to under which terms and conditions he had engaged these workers a forgone conclusion can be drawn that these workers were never consulted by Management No.2 before their engagement. Therefore, it is deemed that they were engaged with the self same benefits and designation, which they were enjoying under the previous contractor.

7. Accordingly it is held that the Management No.2 is liable to pay the disputants Dayanidhi Sahu and five other un-named disputants at the same rate at which they were paid earlier without bringing any change in their designation, which they were enjoying under the previous contractor.

8. The Reference is accordingly answered exparte against Management No.2 and in favour of the Union. Dictated & Corrected by me.

N. K. R. MOHAPATRA, Presiding Officer